

MINUTES

SHREWSBURY BOROUGH COUNCIL

REGULAR MEETING

NOVEMBER 10, 2004

PRESENT: Mayor James W. Reedy, Richard R. Buchanan, Michael R. Caum, Frederick C. Noble, Michael W. Ridgely, Peter W. Schnabel, Christopher M. Skoglund and Eric W. Stoley

OTHERS

PRESENT: Jeffrey L. Rehmeyer, II, Esq.; James R. Holley, P.E.; Brian L. Sweitzer, Supt. of Public Works; E. Michael Lee of Codes Enforcement; Phil Robinson; Robert Davis; Gary LaBarre; Barb Krebs of The York Daily Record; Daryl Peck; Atty. Steve Hovis; Joe Brockmeyer; Jeff Keating; Becky Russell

The regular meeting of the Borough Council convened at 7:31 p.m. in the Borough Municipal Building, 35 West Railroad Avenue with President Schnabel presiding.

CITIZEN'S COMMENTS

Becky Russell of Covington Drive thanked Council for helping with the speeding problem on Covington Drive.

APPROVAL OF MINUTES

F. Noble moved to approve the minutes of the October 13 meeting.
E. Stoley seconded. The motion carried with all in favor.

APPROVAL OF EXPENDITURES AND REPORT OF ACCOUNTS

M. Ridgely moved to approve the expenditures and report of accounts for September, 2004.
E. Stoley seconded. The motion carried with all in favor.

BILLS

The bill list was presented for October: General account: check numbers 6385 thru 6436 totaling \$215,830.28; water account: checks numbers 3098 thru 3117 totaling \$13,126.49; sewer account: check numbers 2626 thru 2643 totaling \$130,582.35; highway aid: check number 629 totaling \$877.10.

E. Stoley moved to approve the bill list for October.

F. Noble seconded. The motion carried with all in favor.

SUBDIVISION AND LAND DEVELOPMENT BUSINESS

Covington Ridge Phase III Preliminary Subdivision Plan #2004-5

Two waivers are requested: sidewalks and the length of the cul-de-sac because it's going to be temporary. Stormwater comments are still outstanding. E. Stoley asked for a note to be added to the plan that a few odd-shaped lots were created by the developer and will not receive a variance at a later date.

E. Stoley moved to approve the waiver for the length of the temporary cul-de-sac.

M. Caum moved to approve both waivers: sidewalks and length of the temporary cul-de-sac.

C. Skoglund seconded M. Caum's motion. Motion carried in favor with the exception of E. Stoley who favors sidewalks in developments.

E. Stoley moved to approve the preliminary subdivision plan contingent on the comments of Eng. Holley pertaining to stormwater management and satisfaction of any outstanding comments from Codes Enforcement; and contingent on a note being added to the plan that no variance will be approved in the future resulting from any odd-shaped lots that have been created by the developer.

R. Buchanan seconded. The motion carried with all in favor.

REPORTS

Codes Enforcement – Mike Lee

A list of complaints and follow-ups was given to the Borough. April's Attic at 60 North Main Street is still putting too much out for display and she has been warned

three or four times. Before it's turned over to the solicitor a warning letter should be sent to 104 South Main Street about the same problem.

M. Ridgely stated that since Chick-fil-A was so cooperative in their grand opening and did not insist on putting up the inflatable cow, that as soon as Wendy's puts their inflatable cup on the roof, they should receive notification of a violation.

Mike Lee stated his office sent the owner of the new shopping center notice about the temporary signs on the property. Mike is also working with Chick-fil-A to have directional signs put up directing motorists to the north exit at the shopping center and no parking signs at the well entrance road.

Addition at 346 South Main Street

Mike stated Joe Brockmeyer would like to add in-law quarters. This is allowed in the Residential zone but a land development plan is required. Mike said some other municipalities allow such additions under a hardship ordinance. When the addition is no longer used as a hardship, the kitchen is removed and it reverts back to a single unit dwelling. The owner signs an agreement and it's up to the property owner to tell the Borough when the hardship ceases.

Permission was given to allow Joe Brockmeyer to begin the addition minus the kitchen which will not be allowed until Council amends the zoning ordinance to allow hardships on a case by case basis.

Sol. Rehmeyer will obtain some concepts for review and referral to the Planning Commission.

Covington Ridge II Runoff Problems

Mike said he and Eng. Holley will meet next week to review the plan prepared by S & A's engineer.

Weaver Precast

Clean up has taken place and the owners are very cooperative and are attempting to handle the stormwater detention pond issue.

OTHER REPORTS

Water & Sewer – Richard R. Buchanan

Caustic Soda Problem

The Meadow and Blouse wells are continually experiencing caustic soda chemical reactions with deposit buildups in the water lines. The calcium deposits limit production quantities. Alternate solutions to adding caustic soda are being considered. DEP permits would need to be revised.

Forest Lakes Infiltration

The Public Works Department has started to trace illegal sump pumps and rainspouts in the Forest Lakes and Essex Circle areas. No problems have been found and many of the rainspouts enter the ground and they cannot find the exit location. The Department is investigating the use of smoke testing for next year.

Pumphouse Wells

R. Buchanan said a meeting was held last week to discuss whether or not we want to try to convince DEP to allow the same flow that was originally approved. It's very doubtful if DEP will change its mind to allow more flow and Tom Simmons will be contacted to see if the money he was going to spend on the second flume can be diverted toward development of the new water source or put toward upgrading the existing wellhouse. It was the consensus of Council not to pursue the additional flows not approved by DEP as it was felt it would be a waste of time and money and to do what it takes to get the standard requirements met. Tom Simmons is no longer using the services of Paul Miller, hydrogeologist and Eng. Holley will be heading the project.

New Water Source

B. Sweitzer will restake the site marked by Paul Miller and the 200 feet radius. A plan needs to be presented to Cornerstone to decide how to proceed next as far as right of ways and the exact location of the wellsite.

Public Roads & Lighting – Christopher M. Skoglund

Children at Play Signs

The Public Works Department installed Slow, Children at Play signs on Old Farm Lane and Covington Drive recently. We will see how the painted-on 25 mph speed limit signs hold up over winter to see if we want to do the same on other streets.

Remaining Projects on Five Year Plan

Storm Sewer:

South Highland Drive and East Forrest Avenue	\$17,000
North Main Street and Gatewood Drive	\$14,000

Paving:

Onion Boulevard	\$18,600
South Highland Drive	\$18,500
West Railroad Avenue	\$8,000
South Sunset Drive	\$28,000

2005, 2006 and 2007

Whitcraft Lane
Hill Street

Truck Traffic on Route 851

PennDOT called this week to ask that the left arrow sign attached to the top of the warning light at the fire station be taken down and that PennDOT will be installing additional signs on East Forrest Avenue to direct trucks to either turn left or right onto Main Street which is the truck route. Brian will contact PennDOT to ask when they plan to install their signs that the removal of this sign will coincide with their work.

Public Lands, Buildings and Finance – Michael W. RidgelyLease with Penn-Mar Organization

The lease is ready to present to Southern Community Services and Penn-Mar Organization once we receive an interior building plan as to how they intend to renovate the former library building. Also, Southern Community Services needs to clarify what their function is and the services they will offer at the building and that they need to come to the Borough for any changes. Eng. Holley will prepare a small plan to attach showing the property covered by the lease, the north side of Railroad Avenue.

F. Noble moved that the lease, with an attached plan showing the property that is covered under the lease, be forwarded to Penn-Mar Organization once we receive the interior building plan and to move forward with negotiations on the lease. M. Ridgely seconded. The motion carried with all in favor.

Budget

The next budget meeting is next Wednesday, November 17 at 7:00 p.m.

Congestion During Voting

C. Skoglund stated there was congestion at the front door this past election with people leaving as others were waiting at the door to get in to vote. Perhaps it would be better if the voting machines were placed on the other side of the room so that when people left they would be directed to leave via the north end doors.

ENGINEER'S REPORT

Speed Limit Signs

Eng. Holley stated that legally no other signs may be placed on the speed limit sign poles.

Treatment Plant and DEP

Eng. Holley said the fight that New Freedom Borough had with DEP is on hold as DEP did not have the information they were required to obtain. More stringent requirements are being set to cut down on phosphorous and nitrogen and it's possible that in the future New Freedom may be back fighting against another upgrade to the plant.

Sewage Plan Exemption for Eitzert Farm

E. Stoley moved to approve the signing of the Sewage Plan Exemption for the Eitzert farm.

M. Ridgely seconded. The motion carried with all in favor.

Market Square Traffic Signal

In response to our letter asking for left-turn arrows in all four directions, PennDOT said a traffic study is needed before approval will be given. Eng. Holley contacted the York County Planning Commission about the study and if they can't do the study, he will get proposals from other firms.

New Treatment Plant in Tolna

Eng. Holley said a sewage treatment plant will be built privately in the Tolna area. We will not loose any customers but we will trade EDUs in one plant to use in another. A lot of details need to be resolved.

SOLICITOR'S REPORTNew Freedom 1998 Sewer Bond Refinancing

Daryl Peck of Concord Public Finance and Attorney Steve Hovis presented the Results of Bank Proposals and Comparison to Bond Issue dated November 8 and the Wachovia Bank Proposal for the 2004 Note Issue. A meeting was held on October 15 and at that time the plan was to proceed with another bond financing. Since that time, the New Freedom Authority decided to go with a Bank Note with Wachovia Bank at 3.43% to get a better savings. The net savings is \$136,437.90. Discussion ensued regarding the \$62,000 in Issuance Costs and the fact that Council was just presented with the figures at tonight's meeting with no time to review beforehand.

M. Caum moved to adopt Ordinance 2004-9 to guarantee our share of the sewer bonds in the principal amount of \$4,032,000.00.

C. Skoglund seconded. Roll call vote:

Buchanan	yes, in favor
Caum	yes, in favor

Noble	yes, in favor
Ridgely	yes, in favor
Skoglund	yes, in favor
Stoley	yes, in favor, opposed to high fees
Schnabel	yes, in favor

Right of Way Agreement for New Maintenance Building

E. Stoley moved to authorize the signing of the Easement Agreement with St. Paul's Reformed Church of Shrewsbury and Christ Evangelical Lutheran Cemetery Association and the Borough.

F. Noble seconded. The motion carried with all in favor.

Marvel/Wallen Property Dispute

This matter is still on hold pending settlement between the parties.

Windy Hill Road Manhole Issue

Sol. Rehmeyer sent a letter to PennDOT about their failure to timely notify the Borough of the intension to pave Windy Hill Road and several of our manholes were paved over. We will do nothing at this time unless an emergency requires us to uncover the manholes.

Changing Definition of Shopping Center

As a result of a recent zoning hearing for a recreational establishment in a commercial zone, Council will consider amending the definition of shopping center to include establishments other than retail stores such as health clubs, etc.

An executive session was called at 10:47 p.m. to discuss a pending litigation issue. The meeting was reconvened at 11:12 p.m.

Public Safety, Welfare and Personnel – Frederick C. Noble

Hiring of Office Employee

E. Stoley moved to hire Shirley Shaw as an office employee.

M. Ridgely seconded. The motion carried with all in favor.

New Auditor

The Secretary is still receiving quotes. A quote received from one auditor did not include work required under the new GASB 34 laws and will be revised.

Secretary's Report – Cindy L. Bosley

Reminder about the annual appreciation dinner this Friday evening.

York Area Tax Bureau – Frederick C. Noble

The budget has been approved.

Planning Commission/Regional Planning Commission – Eric W. Stoley

Regional Planning Commission did not meet. E. Stoley said Council will need to find a replacement for him next year as he can't make a lot of the meetings.

Subdivision, Land Development and Zoning – Eric W. Stoley

The Committee met with Phil Robinson to review Covington Ridge III.

Rule Regarding How Notice is Given for Zoning Hearings

The Zoning Hearing Board set a policy at their November 4 meeting that notices for zoning hearings may be sent by regular mail, mailed 15 days prior to the hearing date.

Eitzert Plan

The staff review will be on December 8.

Southern Regional Police – Richard R. Buchanan

The 2005 budget was received and will be reviewed at the next budget meeting. Buck will give a presentation on the dogs used by the police department. F. Noble reminded Buck that he is still waiting to hear from Chief Childs regarding his offer to help watch the speed equipment during speed checks.

UNFINISHED BUSINESS

NEW BUSINESS

OTHER BUSINESS

COMMUNICATIONS

Eagle Scout Ceremony for Gregory Myers will be on December 4; Pete will attend.

ADJOURNMENT

M. Rigely moved to adjourn the meeting at 11:33 p.m.
E. Stoley seconded. The motion carried with all in favor.

Submitted by,

Cindy L. Bosley, Secretary