

MINUTES

SHREWSBURY BOROUGH COUNCIL

REGULAR MEETING

AUGUST 9, 2006

PRESENT: Mayor James W. Reedy, Richard R. Buchanan, Michael R. Caum, Thomas D. Metz, 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; Barb Krebs of The York Daily Record; Vickie Quackenbush; Suzie Ballard; Sue Ann Chlumsky; Tyler Harpster; Nancy Morrell; John Stevens; others who did not speak

The regular meeting of the Borough Council convened at 7:32 p.m. in the Borough Municipal Building, 35 West Railroad Avenue with President Schnabel presiding.

CITIZEN'S COMMENTS

John Stevens, 10 North Main Street, appeared on behalf of some business and shop owners in the Village section to let Council know about the Main Street program they would like to pursue. They would like to find out if the Village section is eligible and does it make sense.

R. Buchanan entered the meeting at 7:34 p.m.

Shop owner, Suzie Ballard, of Maryland, handed out an announcement of their first event which would be a Main Street Fall Festival on October 28. Mr. Stevens was told to make sure everyone in the Village district receives a copy of the handout.

Sue Ann Chlumsky, Chair of the Shade Tree Commission, asked for a copy of the handout.

Nancy Morrell of 26 North Main Street was present to say she was opposed to revitalization and a hardscaped, cold look. She wants the town to remain a relaxed atmosphere and that basically the Village is a residential zone.

The group was told to gather more information and they should ask the Planning Commission for review and advice as well as the Preservation Society.

Vickie Quackenbush of 7 McCleary Court was present regarding the indemnification agreement prepared by the Borough's solicitor. She asked that the hold harmless wording for intentional negligence be removed. Mrs. Quackenbush was told that this language is in all the Borough's indemnity agreements and it only applies to the pool, fence and sewer line. Language will also be added for damages to adjoining properties. The Quackenbushes were unsure they wanted to sign the agreement. The Borough will wait until it hears from the Quackenbushes before the agreement is amended.

Tyler Harpster of the radio club stated they manned the radios for the parade from the EOC and the club did some maintenance work at the repeater site and is getting ready to install the generator.

APPROVAL OF MINUTES

E. Stoley moved to approve the minutes of the July 12 meeting.

T. Metz seconded. The motion carried with all in favor with C. Skoglund abstaining as he was not at the July meeting.

APPROVAL OF EXPENDITURES AND REPORT OF ACCOUNTS

M. Ridgely moved to approve the expenditures and report of accounts for June.

C. Skoglund seconded. The motion carried with all in favor.

BILL LIST

The bill list was presented for July. General account: check numbers 7810 thru 7872; Water account: check numbers 3632 thru 3645; Sewer account: check numbers 3607 thru 3619.

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

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

SUBDIVISION AND LAND DEVELOPMENT BUSINESS

Valley View Grove Bond Reduction

Eng. Holley concurs the bond may be reduced.

E. Stoley moved to approve the bond reduction in the amount of \$32,141.10 leaving a zero balance.

C. Skoglund seconded. The motion carried with all in favor.

Street Adoptions in Valley View Grove

The developer has not asked that the streets be adopted. Eng. Holley has a meeting with the developer tomorrow.

C. Skoglund moved to authorize Sol. Rehmeyer to prepare and advertise the ordinance to adopt the streets in Valley View Grove if the developer so desires.

E. Stoley seconded. The motion carried with all in favor.

Heathcote Glen Bond Reduction

Eng. Holley concurs the bond may be reduced.

E. Stoley moved to approve the bond reduction in the amount of \$43,866.95 leaving a balance of \$484,115.05.

C. Skoglund seconded. The motion carried with all in favor.

REPORTS

Codes Enforcement – Michael Lee

Laurence Wirtz, Lexington Drive

No attempts at correction have been made to fix the stream that was piped and the Borough needs to get involved. There is erosion on the bank.

R. Buchanan moved that Sol. Rehmeyer write a letter to get the corrective action started.

C. Skoglund seconded. The motion carried with all in favor.

26 Plank Road

Another letter of complaint was received from the adjoining property owner. There are high weeds and there are two vehicles in a state of disrepair. Mike asked for advice.

C. Skoglund moved that Codes Enforcement send a ten day correction letter. M. Ridgely seconded. The motion carried with all in favor.

Cresswell 46 North Main Street

Mike stated Council should have his report by the end of next week. Mr. Cresswell will receive a copy.

Water & Sewer – Richard R. BuchananBulk Water Sales

Several builders and landscapers purchase bulk water from the Borough. The fees haven't been updated since 1994. The current fill fee is \$25.00 and water is sold at \$8.00 per thousand. Brian was asked to check with other municipalities and the York Water Company to find out their rates. Council felt that water should be sold for projects in the Borough only. This matter was referred to the water and sewer committee.

R. Buchanan moved to increase the fill fee to \$40.00

C. Shoglund seconded. No vote taken.

M. Ridgely moved that it be sold for use inside the Borough only.

R. Buchanan moved to increase the fill fee to \$60.00.

C. Skoglund seconded. The motion carried with E. Stoley opposed as he felt the fee should be higher. The form states the use must benefit a Borough resident.

60 Lisburn Avenue Oil Tank

A quote in the amount of \$1,000.00 was received from Aero Oil to remove the oil tank at 60 Lisburn Avenue. The tank is 150 feet away from the Thompson well in Zone 1 of the Wellhead Protection area.

R. Buchanan moved to authorize Sol. Rehmeyer to prepare an agreement with the property owner for the existing tank to be emptied with a new tank being installed inside the home. B. Sweitzer was authorized to fill the existing tank with concrete slurry.

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

Strassburg Circle Sewer Line

Two problem areas were repaired and televised. The line is intact with no leaks but will eventually begin to leak due to stress on the joints and the amount of groundwater in the area.

The Committee and Eng. Holley need to formulate a replacement schedule.

Caustic Problem

The piping at our well buildings is still clogging due to the caustic soda reaction even though corrosion inhibitors are added to prevent blockages. Eng. Holley's office is researching caustic caking in lines.

Keeny Well

The Susquehanna River Basin Commission notified the Borough that the newly-drilled well can only be permitted for 19 gallons per minute according to their desktop model. The Susquehanna River Basin Commission was present during the initial site survey and did not mention a problem with recharge. We have spent approximately \$9,000.00 to date. The next phase will cost \$12,000.00 and will include testing the well over a 48 hour time period checking well yields and monitoring wetlands close to the property. Eng. Holley spoke with the hydrogeologist at the Susquehanna River Basin Commission who stated there is no way the well will be permitted for more than 19 gallons per minute because of the size of the drainage basin. If it was east of I-83, it would be permitted for more. It's fruitless to spend any more money on the project.

EXECUTIVE SESSION

An executive session to discuss pending litigation was called at 8:54 p.m.
The meeting was reconvened at 9:12 p.m.

M. Ridgely left the meeting.

Water Tapping Fee Ordinance

R. Buchanan moved to adopt Ordinance 2006-7 increasing the water tapping fee to \$1,706.05

E. Stoley seconded. Roll call vote:

Buchanan	yes, in favor
Caum	yes, in favor
Metz	yes, in favor
Skoglund	yes, in favor
Stoley`	yes, in favor

M. Ridgely entered the meeting and heard the motion.

Ridgely	yes, in favor
Schnabel	yes, in favor

Wellhead Protection – Smith Bros. Tank Replacement

Smith Bros. is replacing the fuel tanks and some minor contamination was found which is not a ground water issue.

Public Roads & Lighting – Christopher M. Skoglund

Tree Removal Policy

Brian came up with the following policy:

"The Public Works Department will remove fallen trees from all State and Borough roadways that impede traffic flow. The trees and/or limbs will be cut into manageable lengths and placed onto the tree owner's property. The Department is not responsible for disposal of the limbs." An item will be placed in the next newsletter.

New Manual Uniform Traffic Control Devices

The MUTCD is Federal law and could be a State law by January 1, 2007. The law could make all municipalities replace street and traffic control signs with Hi-intensity. About half of our street signs are not the new Type 3 signs.

Snow Plow Bids

Two bids were received:

Aquatic Resources Restoration	\$95.00/hour
J.A. Hoy Construction	\$225.00/hour

The bids will be reviewed and an award made at the next meeting.

Public Lands & Buildings and Finance – Michael W. Ridgely

Sweeney Park Paving

The amount of \$14,000.00 was budgeted but drainage problems have been discovered and could be corrected. Eng. Holley's office estimated \$32,899.00 and Brian would ask for \$8,000.00 more for stone and storm water extras. The total project would be \$40,000.00.

M. Ridgely moved that bids be placed for the paving of the parking lot with the Public Works Department doing the storm water, base prep work and line painting. C. Skoglund seconded. The motion carried with all in favor. Payable from Recreation Fees.

2005 Audit

The Committee met with the auditor earlier this evening. One notation is there are a few outstanding checks in the payroll account. If anyone on Council is holding a check, it should be taken to the office for re-issuing.

ENGINEER'S REPORT

SOLICITOR'S REPORT

Amendment to Zoning Ordinance – Signs

Sol. Rehmeier submitted two versions with the difference being Section 6 and temporary signs. The one version prohibits temporary signs for anyone who increases the size of their permanent sign. Both versions were submitted to the York County Planning Commission and the Borough's Planning Commission.

Pinnacle Towers

The revised Bill of Sale and Termination of Ground Lease for the tower on Woodland Drive was executed.

Pflumm Contractors

Sol. Rehmeier was directed to respond that the Borough is maintaining its position on the bid rejection.

Public Safety, Welfare and Personnel – Michael R. Caum

Personnel Meetings

Personnel meetings will be held on Wednesday, September 27 starting at 6:30 p.m.

Line Gun Kit

The fire company is requesting the Borough order a line gun kit on their behalf with reimbursement.

Fire Lane

The fire department asked if fire lanes could be placed at the two shopping centers in town. Market Square is not willing to spend more money for signs when their no parking signs are being stolen.

The Borough may pass an ordinance to require the fire lanes.

Secretary's Report – Cindy L. Bosley

Tree Complaint

A complaint was received about a possible unsafe tree at a vacant dwelling.

The Secretary was directed to send a letter to the property owner asking that they have the tree checked.

York Adams Tax Bureau – Thomas D. Metz

T. Metz reported that he and P. Schnabel met with Director Lois Kashner recently to gather information on how the Borough can ensure that residents who should be on the earned income tax lists are included. The Bureau can cross-reference tax payers with the State or Federal tax records. The ordinance requiring landlords to register their tenants needs to be reviewed.

Subdivision, Land Development and Zoning – Eric W. Stoley

Deer Creek Buffer Zone

A letter was received from Kimco Realty stating they will agree to abandon the buffer zone but they will not pay for relocation. They are also denying maintenance of the bank area.

A letter will be sent reminding Kimco Realty they still need to maintain the buffer area. We also need to clarify ownership of the bank.

Wholesale Beer Distributorship

The Borough received notification of a license transfer to allow a wholesale beer distributorship at Market Square, which is allowed in a commercial zone.

Regional Planning Commission – Eric W. Stoley

New Freedom Borough has withdrawn from the regional planning commission. A letter will be sent to Shrewsbury Township asking about the viability of continuing since two municipalities don't have representatives and one has withdrawn.

Southern Regional Police – Richard R. Buchanan

A bill was introduced that any municipality with a population over 10,000 needs to start paying for State Police services if they don't have their own police force. Negotiations have started for the new police contract. The number of false alarms hasn't decreased but now the police department has up to date contact information.

UNFINISHED BUSINESS

NEW BUSINESS

2007 Animal Control Contract

E. Stoley moved to approve the 2007 contract with Susquehanna Stray Animal Shelter.

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

Pension

C. Skoglund stated he recently met with R. J. Hall and there will be some altering of the investment portfolio.

OTHER BUSINESS

COMMUNICATIONS

Comcast will be the new cable supplier. Council will want to meet with the representatives.

ADJOURNMENT

M. Ridgely moved to adjourn the meeting at 10:27 p.m.

T. Metz seconded. The motion carried with all in favor.

Submitted by,

Cindy L. Bosley, Secretary