

## MINUTES

### SHREWSBURY BOROUGH COUNCIL

REGULAR MEETING

SEPTEMBER 10, 2003

PRESENT: Mayor James W. Reedy, Richard R. Buchanan, Salvatore A. DiPaula, Jr., Frederick C. Noble, Michael W. Ridgely, Peter W. Schnabel, Christopher M. Skoglind and Eric W. Stoley

#### OTHERS

PRESENT: Craig Sharnetzka Esq.; James R. Holley, P.E.; Brian L. Sweitzer, Supt. of Public Works; Jeff Keating, Zoning Officer; Gary LaBarre; Nate Kirschman; Barb Krebs of The York Dispatch; Terri Reuter of The York Daily Record; Dick Hornberger; Henry Young; Rhonda Hofler; Mrs. Lucas; Tom McNeal; Rick Hoehn; Lyndon Hart; Fred Papa

The regular meeting of the Borough Council convened at 7:30 p.m. in the Borough Municipal Building, 35 West Railroad Avenue with President Schnabel presiding.

#### CITIZEN'S COMMENTS

Dick Hornberger was present to say there was an incident where he was traveling eastbound on Forrest Avenue at Main Street and was turning left and a driver went out around him to turn left and the police had to be called.

There are not two lanes there and the width does not support a left-turn lane. Eng. Holley will write to the County Traffic Engineer to suggest any paint markings to help clear up confusion.

Mr. Hornberger also complained about speeding on Cardinal Drive and that there are turning violations at the south intersection of the new shopping center at Cardinal Drive where people exiting the shopping center turn left and are in violation of the traffic design.

R. Buchanan will ask the police to check on this area. Mr. Hornberger was instructed to give the police the driver's license number.

A complaint was received about the turning lanes in this same area as the motorists waiting to turn left onto Cardinal Drive from Mt. Airy Road are in the same lane of travel as those waiting to make a left turn into the shopping center from Mt. Airy Road. Motorists are also extending the left-turn lane on Mt. Airy Road to turn left onto Forrest Avenue.

Eng. Holley will ask PennDOT to look at this intersection.

Gary LaBarre stated the EOC and other towers are now complete and the only thing left to do is some grounding in the basement.

Nate Kirschman was present to report there will be a practice HAZMAT drill on Saturday, October 4 from 9 a.m. to noon. There will be an evacuation and our EOC will close and operations will be moved to New Freedom Borough's EOC.

Nate also introduced the Intergovernmental Cooperation Agreement involving the Borough, New Freedom, Railroad and Glen Rock Boroughs and Shrewsbury Township that would allow for back-up and mutual aid of manpower in the event of emergencies. This will be discussed further next month. Resources would be shared. New Freedom Borough has an EOC but Shrewsbury Township does not.

Mrs. Hofler of 50 Woodland Drive was present to say there were incorrect statements made at last month's meeting by neighbors. The tractor trailer has been gone for almost two years and her husband stops in with the truck to visit the children. It's not there on a regular basis and the immediate neighbors were not asked to sign the petition. It appears to be a neighbor dispute situation.

C. Skoglund said he spoke with the Hoflers and told them the Borough is looking into tractor trailer problems on other streets as well, not just Woodland Drive. The residential roads were not built for heavy truck parking and there are safety issues.

Mrs. Lucas of Woodland Drive was present to say the truck is not there very often and she said there are lies being told and that there is yelling and cursing coming from the Antkowiaks. Mrs. Lucas was told to call the police.

Tom McNeal of 57 Woodland Drive stated the Hoflers have been great neighbors and this truck was this gentleman's livelihood and he didn't want to see restrictions put in place like a home owners association would have.

## **APPROVAL OF MINUTES**

E. Stoley moved to approve the minutes of the August 13, 2003 meeting.  
C. Skoglund 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 July.  
F. Noble seconded. The motion carried with all in favor.

## **BILLS**

- Codes Enforcement inspection at new shopping center Chinese Restaurant \$168.00; Giant \$48.00; Mattress Warehouse \$120.00; Shrewsbury Cleaners \$84.00 for a total of \$420.00
- James R. Holley & Associates general engineering \$1,432.31; sanitary sewer repairs 2003 \$480.39; Northbrook sewer extension \$350.35
- Kimberly Dettinger bookkeeping services for August 17.5 hours \$350.00

M. Ridgely moved to approve payment of the above invoices.  
C. Skoglund seconded. The motion carried with all in favor.

## **SUBDIVISION AND LAND DEVELOPMENT BUSINESS**

Cornerstone Development Group asked for Council to consider a change in the front setback requirement in the Residential-Agricultural zone from 50 feet to 25.

Rick Hoehn and Lyndon Hart of Daft, McCune and Walker presented information as to why they felt the front setbacks should be reduced from 50 to 25. They felt the homes would be more marketable if the back yards were larger.

The lots could be more attractive if there were larger back yards yet Cornerstone went through the land development approval process with lot layout based on the current setbacks of 50 feet. There could be problems with the short driveways if there are more than two cars and other cars would be forced to park on the street.

There was a home on South Main Street that burned down years ago and when it was rebuilt it had to conform to the current setbacks and it looks out of place. This could happen if the zoning ordinance was changed for this zone if a house burned or a homeowner could put an addition within the front setback. The homes would not look uniform. Council felt the larger back yard plan was not a good reason to change the zoning ordinance. Each development should be looked at on an individual basis and relief sought from the zoning hearing board.

Council is not going to consider changing the zoning ordinance and Cornerstone was told to seek relief from the zoning hearing board if they still wanted to pursue the setback issue.

### **Zoning Officer/BOCA Inspector**

The blow up “Frosty” at Wendy’s can stay up until the end of the month. Jeff was asked to look into the “sandwich” signs that have gone up at the new shopping center and at Playground Avenue. There are also some at the railroad crossing on South Main Street.

P. Schnabel stated he would see Jeff tomorrow to review the plan of original work for the Jacobsons. Jeff was asked to look at the former Agway property at the corner of North Main Street and Valley Road as there are 16 trucks and six tractors and some dump trucks. There are no licenses on some trucks.

B. Sweitzer asked about the status of the business profile sheets for the wellhead protection plan. Jeff stated he would have them to Brian by the end of the month.

### **UPDATE ON THE STATUS OF THE SOUTHERN REGIONAL RECREATION BOARD**

Anna Walters, Fred Noble and Henry Young gave an update on the status of the SRRB. Because of financial problems, the program assistant was laid off and then the director resigned. The Board owes more money than it has in the treasury. The Board met last evening and voted to go on with the program and hire one full-time and one part-time employee after the first of the year. There is a debt of about \$8,600.00 that could increase to between \$9,000 – 10,000.00 by the end of the year.

F. Noble stated at the last session of the Board, he was under the impression the program would shut down. Now, the Board met last evening and decided to save the SRRB. The result of the Peer to Peer study was that it was felt the recreation needs were being handled by the older organizations that existed before SRRB and there was not enough work to maintain regional recreation.

Anna Walters stated there were a lot of people at the meeting Tuesday evening who offered to help the SRRB stay afloat. The Borough's 2003 budget figure was \$12,300.00 and the 2004 budget figure is \$10,911.00. The Borough has been contributing to the SRRB based on the 2003 budget figure and the fourth quarter payment will be sent in soon.

E. Stoley moved that the Borough pay our allotted fourth quarter share based on our 2003 budget figure.  
(Seconded later.)

F. Noble stated that earlier in the year he asked Jacob Papp what the purpose of the SRRB was and he responded they are to schedule the ball fields for the organizations that already exist and to fill in the gaps in recreation in Southern York County that are not offered by other organizations. Fred read a list of recreation organizations in the area and the gaps aren't that big. Volunteerism is shrinking. SRRB is financially broke and the Peer to Peer study recommended they relocate and when that happens, Railroad Borough withdraws. Fred recommends the Borough re-activate it's own recreation board and vote to get out of the SRRB. He doesn't believe the programs being offered fulfill the needs of the public. For example, there were 13 people in the tennis clinic.

C. Skoglund suggested the Board put together a list of the programs that were successful and come back to the Borough next month with a plan for next year.

The budget is \$170,000.00 and the municipalities pay about \$50,000.00 of the budget. The rest is from fundraising, program fees, donations and some grant money.

Henry Young stated some of the existing athletic organizations are working with the SRRB; WalMart has offered sponsorships, there were offers of help from people not in the area, and he feels Codorus Township should be invited to join. He stated he will work diligently to prepare a plan for next month.

It was discussed that hiring someone new after the first of the year will mean it will take awhile to get programming going.

The Borough would have had to give notice of withdraw by August 1 and it looks like we will have to contribute in 2004 if SRRB does not dissolve.

R. Buchanan seconded E. Stoley's motion that the fourth quarter payment be made under the 2003 budget figure. The motion carried with all in favor.

F. Noble moved that the Borough withdraw from SRRB and to pay the fourth quarter amount.

S. DiPaula seconded the motion. Roll call vote:

R. Buchanan	no
S. DiPaula	yes
F. Noble	yes
Ridgely	no
Skoglund	no
Stoley	no
Schnabel	yes

E. Stoley moved to amend his motion that the Borough pay their fourth quarter based on the 2003 rate on the condition that the SRRB not hire any new employees during the rest of 2003.

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

## **OTHER REPORTS**

### **Water & Sewer** – Richard R. Buchanan

#### **Bulk Storage Tanks**

Two 1,500 gallon bulk caustic tanks were purchased for \$11,440.00. The tanks will have three-year warranties.

#### **Meadow Well**

The pump is only pumping 20 gallons per minute compared to the usual 60 gallons per minute. The pump will be repaired next week.

### Pumphouse Wells Testing

The testing is complete and the results will be presented at the Susquehanna River Basin Commission's meeting in December. The test results are favorable and the wells should easily be permitted for the 100,000 gallons per day that we requested.

### Sewer Flows

The average sewer flow for August was 971,581 gallons compared to last year's of 526,452. The month's high was 1.395 million gallons compared to 2002's of 628,000 gallons. Problem areas are pinpointed, but the Public Works Department needs dry ground to get a camera truck to the manholes. Smoke tests will not be done due to New Freedom's lack of success.

### Sewer EDU's for Conewago Contractors

This was discussed later in the meeting.

## **Public Roads & Lighting** – Christopher M. Skoglund

### 2004 Roadwork

The proposed roadwork comes to \$160,000.00.

### Adopt Streets in the Covington Ridge Phase I

This will be done next month.

### Tractor Trailers on Residential Streets

The following streets will be added to the study that the York County Planning Commission is doing: Hill Street, West Forrest Avenue, Covington Drive and Tolna Road.

### Water Runoff on North Sunset Drive

Water runoff was creating problems for some North Main Street property owners and a macadam lip will be installed along the east side of North Sunset Drive to help prevent water from running in that direction. The fire company is also going to work with the Borough to see what they can do to direct water runoff from their building.

### **Public Lands & Buildings and Finance** – Michael W. Ridgely

#### Graleski Property

The appraisal is not yet completed.

#### Award Refuse Contract

M. Ridgely moved to accept the proposal for twice a week refuse pick up with one bulky trash item a week to be on the opposite day of recycling.

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

M. Ridgely moved to amend his motion to award the bid of Penn Waste for twice a week refuse pick up with one bulky trash item collection a week for a five year contract for a price of \$1,150,365.00.

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

#### Northbrook Lane Sewer Pump Station Lot

The appraisal came in at \$1,000.00 and the neighbor will be contacted and the lot offered for sale at that price with filing fees for a reverse subdivision being waived.

M. Ridgely moved to offer this property to the neighbor at a price of \$1,000.00 with the filing fees being waived.

S. DiPaula and C. Skoglund seconded. The motion carried with all in favor.

#### 2004 Pension Minimum Municipal Obligation

The amount of \$25,345.00 will be budgeted for the 2004 MMO.

M. Ridgely moved to budget the amount of \$25,345.00 for 2004.



S. DiPaula and C. Skoglund seconded. The motion carried with all in favor.

### Public Works Radios

M. Ridgely moved to approve a repeater site radio set-up for the public works at a cost not to exceed \$2,200.00.

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

## **ENGINEER'S REPORT**

### Stormwater Runoff Ordinance

The County was awarded grant money from DEP to study and update stormwater effects on the South Branch of the Codorus Creek. A representative will be at an upcoming Council meeting to tell us about the project and that we'll either have to amend our current ordinance or adopt a new ordinance.

### New Well House

Tom Simmons asked if he could start work on the construction of the new well house now. Eng. Holley will check with DEP.

## **SOLICITOR'S REPORT**

### Grim's Glass

Mr. Miller's attorney asked that a meeting be held to feel out our position and to maybe discuss a resolution.

It was Council's feeling that Mr. Miller was told what the violations are and that he needs to abide by the ordinances.

### Nuisance Ordinance

The section pertaining to fireplaces and residential outside cooking needs to be amended.

**Public Safety, Welfare and Personnel** – Salvatore A. DiPaula, Jr.

Personnel Meetings

The personnel meetings will be on September 17 at 7:00 p.m. A pension information meeting will be held on September 24 at 3:00 p.m.

Adopt Promulgation to Adopt the Borough's Emergency Operations Plan

M. Ridgely moved to adopt the Promulgation and the Borough's Emergency Operations Plan as of August, 2003.

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

Blood Drive

Brian was contacted about a blood drive and permission was granted to use the Keeny Room.

Sewer EDUs for Conewago Contractors

Conewago Contractors paid for 40 sewer EDUs in 1988 at a price of \$94,000.00. At that time, Conewago Contractors owned 49 acres of land. Nine and a half are in the Borough and 39.5 were in the Township beside and behind the Fit and Fun Center (now the YMCA). Rezoning took place unbeknownst to Conewago Contractors from residential back to agricultural. After the Fit and Fun Center failed, ten acres were donated to the YMCA. At this time, Conewago Contractors was allowed to purchase the Miller property, fifteen acres, of which ten could be developed. In 1999, Shrewsbury Township purchased 22.5 acres from Conewago Contractors for a recreation complex. Conewago Contractors owns 20 acres that are zoned commercial. Eng. Holley stated they will be developing less land than they used to own and that just the configuration of the land has changed.

It was discussed that Council wanted to stand by its decision of last month where sewer would be served to the acreage owned by Conewago Contractors in 1988 and not for the Miller property.

This was referred to the water and sewer committee who will meet with Township officials to discuss the sewer EDUs for the Miller property.

**Secretary's Report** – Cindy L. Bosley

**York County Boroughs Assn.**

The next meeting is September 25 in Hellam.

**York Area Tax Bureau** – Frederick C. Noble

**Recreation Board/Regional Recreation** – Frederick C. Noble

**Planning Commission/Regional Planning Commission** – Eric W. Stoley

**Southern Regional Police** – Richard R. Buchanan

Buck stated there will be a change in the D.A.R.E. program in that the the grant request was for \$14,000.00 and the State approved \$10,000.00 because of a reduction in the number of classes from 17 down to ten.

## **UNFINISHED BUSINESS**

### **NEW BUSINESS**

**Trick or Treat**

Trick or Treat night will be Friday, October 31 from 6 to 8 p.m.

## **COMMUNICATIONS**

Codorus Township Board of Supervisors is asking for the Borough's support in their endeavor to apply for DCNR Community Conservation Partnership Program grant to develop land for a community park.

A letter of support will be sent.

## **ADJOURNMENT**

C. Skoglund moved to adjourn the meeting at 11:36 p.m.  
F. Noble seconded. The motion carried with all in favor.

Submitted by,

Cindy L. Bosley, Secretary