

MINUTES

SHREWSBURY BOROUGH COUNCIL

REGULAR MEETING

APRIL 10, 2002

PRESENT: Mayor James W. Reedy, Richard R. Buchanan, Salvatore A. DiPaula, Jr., Joseph M. Leshko, 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; Jeff Keating, Zoning Officer; Gary LaBarre; Tom Simmons; Barb Krebs of the York Dispatch; Terri Reuter of the York Daily Record; Phil Robinson; George Smith; Dominic DelliCarpini; Todd Parker; Joe Sacco

The regular meeting of the Borough Council convened at 7:33 p.m. in the Borough Municipal Building, 35 West Railroad Avenue with President Schnabel presiding.

CITIZEN'S COMMENTS

Joe Sacco of 74 Brook Meadow Circle was present regarding the trash blowing from the Rutter's Farm Store and Highland Tire's dumpsters that blows under the fence and into his yard.

The Secretary was directed to send letters to the property and business owners to keep the area free of trash and to close the gap under the fence. Jeff Keating was asked to follow up and see that it is kept clean. The dumpsters should also be kept closed.

George Smith stated the next meeting to discuss the transportation study is April 23 at the cafeteria at the high school.

Fred Knoll of Cardinal Dr. was present to ask about the future changes to this intersection which involves taking some of the land in the State's right of way. He was told to meet with the developer, Tom Simmons, and he will explain what will be done.

Dominic DelliCarpini of 15 Kratz Road inquired about the future development of the Grove property north of Kratz Road. At this time, Phil Robinson brought up again about cluster housing. The area shown on his plan as open space is the portion of the property that is sloped. Preferable cluster housing ordinances require the open land to be used as play areas or other uses which require a level area. Council told Phil that cluster housing was not an option. The Regional Comprehensive Plan reads the Borough may consider cluster housing. Phil stated a homeowners association would own the open space.

Gary LaBarre said he will prioritize the equipment list and he will work with Solicitor Rehmeyer to make sure the items are bought per the bidding and non-bidding requirements. M. Ridgely announced the State awarded us a grant for the EOC equipment. Engineer Holley said we should check the wording in the agreement as that may specify how the items need to be purchased.

Todd Parker of 421 S. Main Street was present to complain about the motorcycle noise coming from the shop next door. The ramp into the work area is on the north side facing their property and it's noisy. Also, visitors park on the north side of the property.

The Secretary was directed to send a letter to Mr. Jones asking if he can move the ramp to the south side of the property as part of being a good neighbor and also to move his parking to the south side of the property. There is also a concern about the silo in the rear and other junky items in this area.

C. Skoglund entered the meeting at 8:17 p.m.

Mr. Parker stated that Mr. Jones said at the zoning hearing that most of his business would come and go in crates as is customary for a machine shop.

Anthony Bonitz of 109 North Main St. asked for the monies sent to the Borough by his insurance company to be held in escrow until he cleaned up from the fire or started to rebuild. He had stated he was not going to rebuild, but the rebuilding process is taking place now and he could use the money to pay for materials.

The Secretary was directed to give Mr. Bonitz a check in the amount of \$6,666.66 for return of the escrowed funds.

APPROVAL OF MINUTES

R. Buchanan moved to approve the minutes of the March 13, 2002 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 February.
E. Stoley seconded. The motion carried with all in favor.

BILLS

- Velda Nickell bookkeeping services for March 15 hours \$300.00
- Rusen & Co. payment #3 for sewer replacement work in Southern Farms \$69,111.38
- D.F. Martin, White & Company auditing services for 2001 \$5,200.00
- James R. Holley & Associates streets 2002 \$832.10; sewer Covington Ridge and North end pump station \$483.15; general engineering \$721.27; sanitary sewer replacement \$521.25; Southern Farms sanitary sewer line repairs \$415.13; water committee meeting \$127.50; Chapter 94 report \$1,082.38; pavilion reconstruction \$130.00
- CGA Law Firm James and Rosalie Bond sewer lien \$297.38 and Bruce and Anya McClure lien work \$669.88

M. Ridgely moved to approve payment of the above bills.
S. DiPaula seconded. The motion carried with all in favor.

SUBDIVISION AND LAND DEVELOPMENT BUSINESS

Presidential Heights, Lot #4, Final Subdivision Plan #2002-1; property located off Church Rd.

Lot 4 contains 4.98 acres, just under two of which are in the Borough. Note six will be amended to clarify the sewer EDUs. Sewer EDUs for the portion in the Borough should be taken from the Borough's EDUs and EDUs required to develop

the Township portion of the lot should be taken from the Township's EDUs. Engineer Holley recommended approval of the plan.

E. Stoley moved to approve the final subdivision plan for lot #4 with the addition of the sewer EDU clarification with EDUs coming from the respective municipalities.

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

Covington Ridge Letter of Credit

The letter of credit expires on July 31, 2002; the balance is \$198,245.00. Phil Robinson said he will have the letter of credit renewed.

REPORTS

Zoning Officer/BOCA Inspector

Grim's Glass

Council received complaints that an addition was made to 21 Hill Street without a permit. Other issues are trash on the property and a fence for which a permit has not been obtained. Also, it was stated at the zoning hearing that the warehouse addition was going to be primarily used for inventory storage but it is now being advertised for rent.

Solicitor Rehmyer was directed to send a letter to Doug Miller about the unauthorized addition and a copy of the letter will be sent to the realtor that the property cannot be leased. Jeff Keating was asked to follow up on the trash issue.

Bright Lights Behind the Factory

M. Ridgely stated he complained about the bright lights on top of the Factory building at 39 East Forrest Avenue that shine into the backs of the homes to the north. Another person had complained about the lights also. Jeff Keating stated he had contacted the manager of the building and was told they can angle the lights down. The lights are large and they should probably be reduced and shields installed. Jeff was asked to follow through with this issue.

OTHER REPORTS

Water & Sewer – Richard R. Buchanan

Filling/topping Swimming Pools

A discussion was held concerning the filling and topping off of pools this year in light of the drought emergency enacted by the State. The Borough took the position last month that residents could not fill or top off their pools. This policy will remain in place with a warning being given the first time and then fines imposed if the resident uses water from the Borough's system. Notification will be included in the annual water quality report that will be mailed out to all water customers.

Shrewsbury Center Agreement

The developer would like the Borough to take the springs off line so earth moving can begin at the site. In exchange, the developer would continue to work diligently toward permitting and installation of the new wells at the springs. The developer would add a booster pump to our system to transfer water from the south to the north system. The developer would make improvements to the existing pump house up to \$4,500.00 provided only one booster pump is required. In the event the new wells are not permitted by DEP, the money which would have gone towards the final well installation will be given to the Borough. A site for a new well is on the Keeny property on Tolna Road with an estimated cost of \$230,000.00. The developer agreed to post a bond in this amount, in the event the new wells on the proposed development property do not get permitted by DEP.

R. Buchanan moved to authorize the signing of the agreement addendum.

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

Welcome to Shrewsbury Sign

Tom Simmons offered space as part of the shopping center's sign for the Borough to place Borough and Regional Recreation announcements.

Gun Club – Request for Borough Water

The gun club at 22 Winchester Road requested permission to connect to the Borough's water system because their well is failing. This property is in the township but the water line runs next to their property.

This request was denied because the property is in the Township and the Borough does not want to fall under PUC guidelines and we do not want to set a precedent. The connections by the Lutheran Home and Shrewsbury Commons are special circumstances in that water agreements are involved for the exchange of water sources.

Sewer Project in Southern Farms

The project is almost three-fourths completed. Sewer laterals on Church Road were recently televised and many will need to be replaced. This will be budgeted next year.

Wellhead Protection

The next meeting will be on April 17 at 9:00 a.m. The proposed ordinance will be discussed.

Ordinance #2002-2 Increasing Sewer Rates

The rates are increased as follows:

Residential Rate:

Fixed charge:	\$51.50
water consumption rate up to 7,500 gals.	2.15/thousand
water consumption rate 7,501 to 16,000 gals.	2.21/thousand
water consumption rate over 16,001 gals	2.28/thousand

Commercial/Public/Industrial Rate

1 st 10,000 gallons	\$81.90
over 10,001 to 16,000 gallons	9.68/thousand
over 16,000 gallons	9.96/thousand starting from gallon 10,000

R. Buchanan moved to adopt ordinance #2002-2 increasing the sewer rates.
E. Stoley seconded. The motion carried with all in favor.

Residents were reminded the water and sewer systems do not see profits; excess monies are placed in savings for necessary improvements.

Public Roads & Lighting – Christopher M. Skoglund

2002 Street Work

The bids will be opened next month. Chris said he would like to spend a portion of the State Liquid Fuels monies on preventative maintenance and then save the money up for a few years to do large jobs.

Street Sweeper

The street sweeper is finished and it looks like he did a good job.

Speed Limit in the area of 229 North Main St.

Rep. Ron Miller's office called to see if the Borough would consider asking for a speed limit study in the area of 229 North Main Street as the old speed limit is based on a study from 1979. The resident called to complain.

Due to the fact that the State could increase the speed limit in this area based on prevailing speeds of motorists, it was decided to place the police department's speed trailer in this location for awhile. The State may be asked to run radar in this area.

Orange Triangles on Speed Limit Signs

The Public Works Department had placed small orange triangles on speed limit signs on certain streets in the Borough. A farmer complained to the State that the triangles are for farm vehicles only and upon the advice of Chief Childs, the Department painted the signs completely orange. A State Policeman visited the Public Works Department about the signs and he was referred to Chief Childs.

Vehicles Parking Facing the Wrong Direction

There are vehicles that are parked facing the wrong direction. R. Buchanan will ask the police department to check out the streets mentioned.

Resolution for Banner

The Market Square Shopping Center asked the Borough to seek permission from PennDOT for them to place a banner across Main Street to announce a day of fun set for May 4.

Council was reluctant to ask permission for a commercial business to place a banner. The banners to be placed across highways are for community fund-raiser organizations.

Public Lands & Buildings and Finance – Michael W. Ridgely

ENGINEER'S REPORT

Eitzert Property

Jim reported there is interest in the Eitzert property and sewer capacity is available through the Borough. He inquired if there was still interest in using a portion of this property for a public works garage.

Scout House Roof

Jim is in the process of obtaining bids for repair of the roof and trusses.

Booster Pump Application

Jim's office will be submitting the application to DEP next week.

Nachtigall Property in Hopewell Township

Tom Simmons, developer of the Springs property, needs a right of way across property to the north owned by Dr. Nachtigall. In exchange for the right of way, Mr. Nachtigall is asking if he can connect to Tom's sewer line. This property is to the northeast of Tom's property where the phone substation is located and to the east comprising about 100 acres in Hopewell Township zoned

Industrial/Agricultural. Mr. Nachtigall does not have sewer capacity/EDUs reserved, but he wants to be able to connect to Tom Simmon's gravity 8" line. The Borough could also eliminate the Brook Meadow sewer pump station by extending a line for gravity flow at a cost of about \$25,000.00.

Out of goodwill for Tom Simmons, the Borough will approve the connection of Mr. Nachtigall's parcel to Tom Simmons 8" sewer line. It should be made clear that the Borough is not providing sewer capacity for this parcel and there is also no guarantee that the 8" line will be large enough to serve the Nachtical parcel should he find sewer EDUs in the future.

Spring House Pump

The 10 h.p. pump purchased in the 1940s needs to be replaced. Kohl Bros. has quoted a price of \$12,750.00 for a 7.5 h.p. for next year's budget.

Mt. Airy Road Extension

The extension should be open by mid May.

SOLICITOR'S REPORT

Adelphia Cable Communications

Solicitor Rehmeyer has not received a response from the letter sent after the meeting the Ad Hoc Cable Committee had with Adelphia representatives on February 26. There was concern about the franchise fees in light of Adelphia's financial problems.

Allied Trailers Sales & Rentals

A check in the amount of \$1,250.00 was received as settlement of the Borough's expenses connected with the faulty trailer rented last year.

Sale of Sewer Capacity from Railroad Borough to Shrewsbury Township

Attorney Malone is preparing an agreement to effectuate the transfer of sewer capacity from Railroad Borough to Shrewsbury Township.

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

Fifth Public Works Employee

Jeff Wilson will start work on April 15.

Secretary's Report – Cindy L. Bosley

Recycling Bins

The Secretary would like to order bins through a DEP grant. The price of bins is 55¢ a bin. However, we must be aware if the grant money does not come through (which has never happened before) the Borough would be responsible for the invoice plus shipping. Permission was granted.

Building Grant

The money was received and a grant closeout report was submitted.

Website

The site is not receiving the number of visitors it should be and the Secretary will be submitting more information and forms to be added to the site.

Statewide Building Code

Handouts from the April 2 workshop were distributed.

Transient Vendors

A form will be prepared for vendors to complete and a copy will then be provided to the police department.

Annual Appreciation Dinner

The dinner will be either November 8 or 15.

Institute at Shippensburg University

The Secretary was given permission to attend the weeklong institute from June 10-14.

York Area Earned Income Tax Bureau – Joseph M. Leshko

Eight Borough residents were found on Shrewsbury Township's tax register and they will be transferred to the Borough's list.

Recreation Board/Regional Recreation Board – Joseph M. Leshko

Planning Commission/Regional Planning Commission – Eric W. Stoley

Messina's Townhouses land development plan will be before the Planning Commission on April 15.

Kiosk Software

The first phase of working with the arcview software has been started and we may be able to get some help from students who can enter utility information on our Geographical Information System program.

Regional Transportation Study Meeting

The meeting will be on April 23 at the High School cafeteria from 7 – 9 p.m.

WREN grant

The Commission has applied for a \$4,000 grant from the League of Women Voters.

Regional Comprehensive Plan

Shrewsbury Township will be amending their zoning ordinance as part of the comprehensive plan. New Freedom Borough has decided not adopt the Regional Comprehensive Plan.

Southern Regional Police – Richard R. Buchanan

The D.A.R.E. graduations were very well attended. Vandalism has occurred again. The two new officers will be graduating from HAAC the middle of June.

UNFINISHED BUSINESS

Sign for Elementary School

The school is very receptive to being allowed to have a larger, more professional sign at the entrance to the school property on South Main Street.

NEW BUSINESS

COMMUNICATIONS

Correspondence was received from Gene Livermore about Sunset at Rock Chapel Cemetery (dedication ceremony) to be held on Sunday, April 14 from 4 – 6 p.m.

Executive Session

An executive session was called at 11:21 p.m. to discuss a personnel issue. The meeting was reconvened at 11:56 p.m.

ADJOURNMENT

C. Skoglund moved to adjourn the meeting at 11:56 p.m.
R. Buchanan seconded. The motion carried with all in favor.

Submitted by,

Cindy L. Bosley, Secretary