

MINUTES

SHREWSBURY BOROUGH COUNCIL

REGULAR MEETING

May 14, 2014

PRESENT: Mayor Peter W. Schnabel, Fred W. Arbogast, Richard R. Buchanan, Carl W. Munch; Michael W. Ridgely; Michael G. Sharkey, and Eric W. Stoley

OTHERS

PRESENT: Brian L. Sweitzer, Supt. of Public Works; Jeffrey L. Rehmeyer, II Esq.; David Lipinski, P.E.; Phil Robinson; Emily Gloeckner; Allison Rodgers; Keith Hunnings; Nick Caruccio, President Shrewsbury Vol. Fire Company; Larry Zimmerman; Judy Kroh; Jon Juffe; Dave Bosley;

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

CITIZEN'S COMMENTS

Nick Caruccio, President of the fire company, was present to state that as a fund raiser, the fire company would like to partner with a caterer who would rent the hall and also use the kitchen to prepare food. In some instances, the food would be trucked off site. The fire company's insurance carrier recommenced it check with the Borough first. The caterer would also be allowing alcohol, not to be sold, but as part of the rental agreement. The caterer will be asked to call the zoning officer to see if a special exception will be needed.

Judy Kroh was present to ask permission to use the community room to collect the school taxes. Permission was given and a letter of understanding will be sent to the school district that the Borough is agreeable to allowing Judy to use the building to collect taxes on three afternoons. We will ask that the district put an endorsement on its policy covering Judy. The Borough has premises exposure coverage.

Judy also asked the Borough to update a fee resolution from about ten years ago for tax certifications and for duplicate bills. Sol. Rehmeyer will update the resolution.

Emily Gloeckner and Allison Rodgers

Emily and Allison provided an update on the playground equipment upgrading they are doing for their Girl Scout Silver Award. Council had set the amount at \$3,000.00 but the cost to actually replace some of the broken and unsafe equipment that was installed about 19 years ago is a little over \$10,000.00 including shipping. The girls are to meet with a

representative from General Recreation in June and Council suggested they wait until shortly after the June Council meeting so Councilman Skoglund can review the budget to see if the shortfall can be made up for the equipment purchase. The girls want to start removing the unsafe equipment very soon. Permission was granted to remove the equipment. They are going to have volunteers spread wood carpet next week.

APPROVAL OF MINUTES

The minutes of the April 9 meeting were approved by mutual consent by those who were at that meeting.

APPROVAL OF EXPENDITURES AND REPORT OF ACCOUNTS

C. Skoglund submitted the expenditures and report of accounts for April but there were some questions so they will be approved next month.

BILL LIST

The bill list for April was presented: General account: check numbers 12181 thru 12224; Water account: check numbers 5152 thru 5171; Sewer account: check numbers 4796 thru 4807; Highway Aid account: none.

E. Stoley moved to approve the bill list for April, 2014.

F. Arbogast and R. Buchanan seconded. The motion carried with all in favor.

APPROVAL OF PAYROLL REGISTER

E. Stoley moved to approve the April 14 and 28 payroll registers.

C. Munch and R. Buchanan seconded. The motion carried with all in favor.

SUBDIVISION & LAND DEVELOPMENT

21 South Hill Street Land Development Plan 7 Apartments

Open items from the April 28 Planning Commission minutes were reviewed. The current four inch water main in Hill Street will not support operation of a fire hydrant that Fire Chief Myers would like to see placed in front of the building. The Borough has plans to replace the main at some point to a six inch main that would support a hydrant. Mr.

Robinson stated that a fire hydrant will be placed at that time and it was agreed that the location will be marked on the plans showing future placement of the hydrant.

E. Stoley moved to approve the land development plan conditionally upon the following:

- 1) Payment of all fees related to the proposed EDUs;
- 2) Payment of all other fees by July 9 (amended later);
- 3) Planning module not to be submitted until the EDUs are paid for;
- 4) An additional secondary access to be added to the building in accordance with the building code;
- 5) Knox box will be installed per building code;
- 6) A 'fire department connection' (FDC) will be placed on the building due to the installation of a working sprinkler system per building code;
- 7) A white reflective sign with bold red capital letters stating "FDC" to be placed over the fire department connection visible from the street per building code;
- 8) A fire hydrant shall be placed in front of the building at such time as the water main in Hill Street is upgraded to a six line by the Borough. An 'X' to be placed on the plans showing future placement of the hydrant.

F. Arbogast seconded.

E. Stoley moved to amend the motion that all fees are to be paid by August 13 and then the plan will be recorded, with the other items to be addressed thereafter.

F. Arbogast concurred with the amendment.

E. Stoley further moved to amend the motion that the EDUs are to be purchased, if available, by August 13.

F. Arbogast concurred with the amendment.

M. Sharkey asked that since he owns property within 300 feet of this property, should he abstain from voting and the answer was no, that he can vote.

Mr. Robinson voiced no opposition to the motion, as amended, and further consented to resolving all items explained as conditions.

The motion carried with one no vote, M. Sharkey.

21 South Hill Street Planning Module

R. Buchanan moved to authorize President Ridgely to sign the sewer planning module.

C. Munch seconded. Roll call vote:

Arbogast	yes, in favor
Buchanan	yes, in favor
Munch	yes, in favor
Sharkey	no, opposed
Stoley	no, opposed

Ridgely yes, in favor

Covington Ridge III and 412 North Main Street

Jon Juffe was present to state that he did submit a letter to withdraw the five waivers requested for this project.

E. Stoley moved to allow and acknowledge the letter of request to withdraw the waivers. M. Sharkey seconded. The motion carried with all in favor.

Juffe would still like to meet with E. Stoley and the subdivision committee and he was told that the committee will meet with him provided he submits an agenda prior to the meeting and that no advice will be given.

Juffe would like to submit a preliminary plan that will not show all of the items required in the ordinances for a preliminary subdivision plan in order to give enough information for Council to then act on the waivers requested.

Sol. Rehmeier suggested to Juffe that he submit a meaningful attempt to comply with the ordinances and show justification on the plan why the waivers are being requested (as required by ordinance and the Municipalities Planning Code) and why the developer can't meet the requirements of the ordinances. Based upon the information provided, Council can then determine if it received enough information and if such information would warrant the grant of relief requested in the waivers. Also, prior plan approval of the old Covington Ridge III shall not justify automatic approval of a waiver requests or a presented plan now.

Codes Enforcement – Keith Hunnings

Five permits were issued. Keith stated he was contacted today by a passerby who told him the north wall at 3 South Main Street looks like it's ready to fall. Keith did look at the wall and the wall is leaning out and the base of the wall is crumbling. He spoke with the tenants and told them that they should start looking for other accommodations that the building is unsafe. Commonwealth Codes will inspect the wall today and the building will be posted as unsafe. The property owner was not able to be reached.

The owner of the storage facility on Onion Boulevard would like to install a fence around the property that would prohibit the Borough's access to the sewer right-of-way, however, the property owner is cooperative in that he has agreed to place three gates in the fence for access by the Public Works Department. A letter from the property owner was submitted and Sol. Rehmeier will prepare an easement agreement for access to our sewer lines.

There was a complaint about a bridge crossing at the stream on 15 Kratz Road that blocks and floods. The property management company is cooperating. A complaint was received about a loud pick-up truck and a commercial truck parked along the street. Keith spoke with the individuals to ask for cooperation as to the loud noise. The truck leaves around 4:00 a.m. and disturbs the neighbors. There is no violation as far as the commercial truck being parked along the street on Greenview Drive. He is closing this complaint out.

Southern Regional Police Department – Mayor Schnabel

Mayor Schnabel highlighted the March police report.

Mayor reported the individual who supplied drugs to a minor that resulted in her death was charged and processed. Those who were involved in vandalism several months ago have also been charged and processed. There will be a presentation here on May 20 on the new GPS system that will be installed in the police cars. R. Buchanan presented a report showing patrol time for the current year as Glen Rock Borough 14.1%; New Freedom Borough 28.7%; Shrewsbury Borough 31.71%; Stewartstown Borough 25.46%.

Water & Sewer – Richard R. Buchanan

Hill Street Water Line Replacement

Eng. Lipinski provided a cost estimate to replace the four inch transite water main with six inch plastic including water services that are the Borough's responsibility, along with the paving. The total cost estimate is \$140,000.00. The project is not budgeted for 2014. This will be discussed next month when C. Skoglund is present.

Smith Well SRBC Report

The Borough's professional geologist, Mike Napolitan, is finishing the Smith Well report and it will be submitted next week. The Susquehanna River Basin Commission is reviewing the Blouse Well report. Mike doesn't believe there are any significant problems with recharge and numbers prove the current permit conditions. Supt. Sweitzer learned the SRBC will not look at the applications until late fall or early winter.

Public Roads & Lighting – Michael G. Sharkey

Street Sweeping

The street sweeping is complete at a final cost of \$5,700.00 as opposed to 2013 which was \$6,547.50.

Annual Road Inspection

The Roads Committee and Supt. Sweitzer need to schedule a tour to rank the roads, identify immediate problem areas, and develop a new five-year road replacement plan.

Public Lands, Buildings and Finance –

ENGINEER'S REPORT

Memorandum of Understanding

The County has not returned an executed copy as yet.

95 East Forrest Avenue/AutoZone

Eng. Lipinski received the revised traffic impact study and is waiting to complete the review pending the status of the plan. Discussed further under Solicitor's Report.

Heathcote Glen II, Phase III

New Freedom Borough has issued a capacity letter but the planning module will not be processed until after the eight EDUs in the Township have been verified.

Projects Out for Bid

The Southern Farms sanitary sewer lining, phase 2 with a construction estimate of \$350,000.00 and the replacement of the sanitary sewer truss pipe along Tolna Road, construction estimate of \$50,000.00 are both out for bids.

Community Block Grant Applications

Council chose the water main lining project on Covington Drive as the first project and the street repairs on Essex Circle Drive as the second project for the block grant applications.

E. Stoley moved that the resolution for funding should be the Covington Drive water main lining project first and second, the street repairs on Essex Circle Drive.
M. Sharkey seconded. The motion carried with all in favor.

E. Stoley moved to authorize the President and Secretary to sign the block grant application.

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

Johnson Controls Scoping Meeting

No highway occupancy permit is required since there is no access onto State roads. It is part of the PennDOT project to do the improvements first on Wolfe Road and Route 851 and this must link with the proposed Exit 4 DDI. Mike Gillespie of PennDOT stated the decking is bad under the I-83 bridge.

Johnson Controls Sewer EDUs

Eng. Lipinski has the sewer planning module for 23 sewer EDUs and Gary Stewart had transferred all of his remaining EDUs (62) to Johnson Controls. There is a concern that some of the other owners of property in the park do not have capacity in which to expand or build. Assigned capacity within the park has been shifted to accommodate actual use, but it will become crucial that the capacity be reviewed and permanently assigned to each parcel as a resolution imposing fees and penalties for excessive and unauthorized use will be adopted by the Municipal Authority.

Traffic Sign Management

Supt. Sweitzer reported the Borough's traffic signs have been inventoried and a replacement schedule has been documented. The Borough is in compliance with the Federal directive.

SOLICITOR'S REPORT

Heathcote Glen II, Phase III

The Chief Counsel to the PUC provided an opinion on serving the lots in the Township through a bulk water meter located in the corner of lot 7. It would be a private system managed by the HOA, which would be a management company. There would be individual meters at each for the sewer billing. Sol. Rehmeyer would review the HOA documents to protect the Borough's interest and for ease of bill collection.

Estate of Antonio Davenport, 13 Tree Hollow Drive

A lien was filed for \$654.51 for mowing charges and fees from 2013. The attorney for the estate is trying to work out a deed in lieu of mortgage foreclosure so the property does not sit vacant for a long time. The water is turned off for non-payment.

95 East Forrest Avenue AutoZone

The Zoning Hearing Board denied the special exception request and the property owner has filed an appeal. The Borough has started the process to defend the appeal and the property owner may file another application to clarify some items that were questioned in the hearing decision. Mr. Davis is suggesting a meeting be held to discuss the items of concern in the Zoning Hearing Board's decision. The current land development plan has an extension in place until July 9 and Sol. Rehmeyer suggested adjustments be made or a new plan filed. Sol. Rehmeyer is suggesting that Supt. Sweitzer (Chairman of the Wellhead Protection Committee), Eng. Lipinski and himself meet with Mr. Davis. E. Stoley and R. Buchanan stated they could be present if Mr. Davis agrees. The applicant would apply to the Zoning Hearing Board again. The meeting might be held on Friday, May 30th. If necessary, a later date will be selected.

Snow Removal and Snow Emergency Ordinances

Draft ordinances for snow removal and snow emergencies were included in Sol. Rehmeyer's report for review. There was discussion regarding clearing snow from hydrants and it will be left as it is now which is a clearance of three feet.

Public Safety, Welfare and Personnel – Fred W. ArbogastPublic Works Vacancy

Over 60 applications/resumes were received with four candidates being interviewed in person.

F. Arbogast moved that Mark Ayres be hired as a utility person starting in June at \$13.00 an hour with a raise after 30 days and when his CDL is obtained and subject to 90 days probation, drug and alcohol testing and background check.

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

Secretary's Report – Cindy L. BosleyAbandoned Home and In-Ground Pool

50 Covington Drive was sold at a Sheriff's Sale in April and there is a large in-ground pool holding stagnant water. There is no cover on the pool. The Secretary will ask the Zoning Officer to send an enforcement notice giving the bank or third party purchaser a

time in which to either drain the pool or install a cover and then at which time, the Borough will pump the water out of the pool and bill for labor and costs.

York Adams Tax Bureau – Michael G. Sharkey

The highlight of the April 28 meeting was the discussion on distributing the unallocated funds to the participating municipalities and the Borough will receive \$4,405.81. More tax payers are using the on-line service without problems. The next meeting is July 28.

Subdivision, Land Development and Zoning – Eric W. Stoley

E. Stoley stated the committee will meet with Jon Juffee provided an agenda is submitted and no advice will be given.

Planning Commission/Regional Planning Commission – Eric W. Stoley

The Planning Commission met in April for the 21 South Hill Street plan.

UNFINISHED BUSINESS

NEW BUSINESS

Issue Control Sheet

The sheet was updated accordingly.

COMMUNICATIONS

ADJOURNMENT

The meeting at ended at 10:47 p.m.

Submitted by Cindy L. Bosley, Sec.