

MINUTES

SHREWSBURY BOROUGH COUNCIL

REGULAR MEETING

November 8, 2017

PRESENT: Mayor Peter W. Schnabel, Stanton Walters, Ted Nadobny, Diane Kraatz, Richard Buchanan, Michael G. Sharkey, Fred Arbogast and Keith Wills

OTHERS

PRESENT: Brian L. Sweitzer, Supt. of Public Works; Jeffrey L. Rehmeyer II, Esq.; David Lipinski, P.E.; John-Paul Whitmore; Joyce Doonan; Tony Myers, Fire Chief; Nick Caruccio, Fire Company President; Annie Hebel; Linda and Dean Miller; Glenda Probst; Ryan Hartley; Len Dunaja; Michael and Nancy Ridgely; Phil Robinson; Nate Kirschman; Randy Engle; Nikolay Ratajczak; Lucas Sherman

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

CITIZEN'S COMMENTS

Randy Engle, of 4 Strawberry Road, asked about the status of the proposed ordinance that will be presented to the Township for adoption with regard to the private well closures. Sol. Rehmeyer has adjusted the proposed ordinance, and it was included with the Solicitor's report. It was recommended that the Borough's hydrogeologist review the ordinance before it is provided to the Township and its citizens for review. Randy asked if there is a finalized list of those affected by a wellhead zone as yet. Randy stated he has a list of questions; President Buchanan asked if would provide the list so we address those questions prior to the ordinance being forwarded to the Township.

Linda Miller, of 504 Plank Road, representing herself, her husband and her mother Esther Dill, of 468 Plank Road, read a statement against the closing of their wells, which are located inside of their homes. Mrs. Miller was told we are trying to reach a compromise in order to protect the Borough's 3,900+ water customers, including the PennDOT Rest Stop, as if their water becomes contaminated, they do not have the option of connecting with The York Water Company.

Len Dunaja, of 3 Abby Road, asked about the locking device and he would like a key as well.

Ryan Hartley, Annie Hebel, and Lucas Sherman

The students are requesting acknowledgement of an event the Tri-M (music) Honor Society would like to do, possibly on an annual or semi-annual basis, where around 17 music ensembles would perform at different locations in the Village district with the property owners' permission. They would like to have the first event on Saturday, November 25 from 10:00 a.m. to 3:00 p.m. with the rain date being November 26. Students have permission from the school and parents are signing permission slips for their children to participate. They would have small donation containers available if anyone would like to donate. Council gave the students their unanimous consent to support their endeavor.

Joyce Doonan, 9 Wineberry Drive, was present again after receiving her letter from the Borough that the developer of Apple Tree Court, through her engineer, had contacted the Doonans previously about entering onto their property to correct or improve any runoff problem associated with the development. Mrs. Doonan said she was contacted but stated they would not sign anything until after the work was done. She said the problem has gotten worse since the roads were installed on the extension of Greenview Drive to Foxtail Court. Eng. Lipinski stated the new homes have water gardens to collect runoff from the homes but the street runoff does go to the pond. The outlet of the pond was changed that it now has a concrete structure with drainage holes in order to slow the water down. Mrs. Doonan is concerned the erosion will be a problem when they sell their home. The Borough believes that the problem should be corrected by placing a berm with fabric near the outfall. Eng. Lipinski was asked to design a solution and to contact Gloria McCleary to let her know the Borough could do the work this winter using an existing sewer right-of-way and bill her for the time and costs.

Nick Caruccio, 9 Crosswind Drive, said there is a problem with sight distance at the intersection of Covington Drive and Crosswind Drive and seeing to the right when pulling out of Covington Drive because of vehicles parked along the street. Supt. Sweitzer stated he will look at this and report back next month to see if curbs could be painted yellow and what distance.

APPROVAL OF MINUTES

The minutes of the October 11, 2017, meeting were approved by unanimous consent.

APPROVAL OF EXPENDITURES AND REPORT OF ACCOUNTS

F. Arbogast moved to approve the bill lists: general account check numbers 1737 thru 1802; water account check numbers 1292 thru 1310; sewer account check numbers 1181 thru 1191; highway aid account: check number 926; and to approve the financial reports for October.

T. Nadobny seconded. The motion carried with all voting in favor.

APPROVAL OF PAYROLL REGISTER

F. Arbogast moved to approve the October 9 and 23 payroll registers.

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

SUBDIVISION & LAND DEVELOPMENT – D. Kraatz/Eng. Lipinski

Codes Enforcement

Six permits were issued in October.

Southern Regional Police – Mayor Schnabel

Mayor Schnabel highlighted the police report through September 30. A meeting was held to discuss police services with a possible merger with the Northern York County Police Department. Southwestern Regional Police has sent a letter that it is also now interested in consolidation of the Departments.

M. Sharkey moved that a letter be sent that we are interested in discussing the proposal with the Southwestern Police Department.

S. Walters seconded. The motion carried with all voting in favor. A letter will be sent expressing our interest.

2018 Southern Regional Police Budget

D. Kraatz moved to approve the 2018 police budget as presented.

F. Arbogast seconded. The motion carried with all voting in favor. A letter will be sent to the Commission.

Water & Sewer – T. Nadobny/Supt. Sweitzer

Sewer Capacity

T. Nadobny stated the Committee met and a letter was sent to New Freedom Borough regarding the plans for expansion/upgrading of the plant. No response has been received as yet.

Lot 55-A Eitzert Farms

The majority of this lot is in the Township but the water and sewer connection will be made in the Borough. There was discussion as to where the sewer EDU should come

from since the other lots in this subdivision are located in the Borough. There was a concern that if this did occur, a precedent could be set. After discussion, Sol. Rehmeier suggested that Phil ask the Township if it would be willing to allow this lot to be considered a part of the Borough and taxable to the Borough.

T. Nadobny left during the discussion at 8:47 p.m.

2017 Waterline Replacement Project

Eng. Lipinski presented a Recommendation of Payment #2 for MACMOR Construction, LLC in the amount of \$104,417.61.

S. Walters moved to pay MACMOR Construction, LLC the amount of \$104,417.61.

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

Water and Sewer Accounts and Funds

Pres. Buchanan prepared graphs showing the balances and performances of the accounts and balances for the PLGIT accounts from 2006 thru the present. As discussed at the budget meetings, the sewer rates need to be increased as they were decreased too much a few years ago. He will present two options next month to include raising the base rate and increasing the tiers.

Sewer Flow

Supt. Sweitzer submitted the following:

YEAR	Gallons/Day	EDU estimate based on PW records as connected	Gallons/EDU
1990	582,000	1624	358
1995	908,000	1936	469
2000	681,000	2226	305
2005	802,000	2612	307
2010	568,000	2750	207
2015	556,000	2852	195
2017 (as of Oct. 31, 2017)	607,000	2867	212

SRBC Grandfathered Well Restriction

The SRBC has a new program to regulate grandfathered wells. The Home and Thompson wells are grandfathered but are not regulated by the SRBC. Pump records are submitted but are not required. Supt. Sweitzer will clarify whether the term facility means all of the wells and related appurtenances of the Borough or each individual well.

Public Roads & Lighting – M. Sharkey and Supt. SweitzerNorth Main Street Driveway Ramps

Sol. Rehmeyer has researched the driveway ramp removals and he feels that the Borough is not in the position to require the property owners, whose lands currently access North Main Street, which is a PennDOT roadway, to abandon those driveways. Should the Borough become involved, it could create the impression of continued obligations on the Borough between private driveways and a PennDOT road, which would not be preferable. PennDOT had stated verbally the driveway ramps are not causing a safety issue and confirmation of this response has been sought. A request was made for a response, but it has not been received as yet. The Borough will not be doing the work and Eng. Lipinski will ask PennDOT for the permit application funds to be returned.

Crack Sealing

Some roads were crack sealed the week of October 16.

Public Lands, Buildings and Finance – F. ArbogastBudget Meeting

The November 14 budget meeting can be cancelled.

ENGINEER'S REPORTPennDOT Main Street Curb Replacement

Eng. Lipinski had reviewed the proposal received from PennDOT and the curb elevation will increase significantly creating a drainage problem between the houses and the new curb height. He will contact PennDOT with the cross-sections to explain the problem and see if PennDOT is willing to mill the roadway deeper between Linden and Walnut Avenues to address the steep shoulder concerns. The Public Works Department would be able to perform the work in February or March if we proceed.

Well Closures Shrewsbury Township

Eng. Lipinski recommended the Borough's hydrogeologist review the proposed ordinance and to possibly meet with the Wellhead Protection Committee at the November 29 meeting.

S. Walters moved that Mike Napolitan be invited to attend both the Wellhead Protection meeting and to meet with the Committee/Council at 6:00 p.m. on November 29.

D. Kraatz seconded. The motion carried with all voting in favor.

Deer Creek Pump Station Sewer Meter Analysis

Eng. Lipinski will have a final report and recommendations to present to the Authority at the February meeting.

Lutheran Home Wetland Crossing

Before boring and construction estimates can be done, subsurface analysis work must be performed by a geotechnical engineer. The cost for the geotechnical engineer would be between \$6,000.00 – 8,000.00. The Authority has authorized the work to be done and to pay its share.

M. Sharkey moved to authorize the geotechnical engineer to perform the work and to pay the Borough's share.

S. Walters seconded. The motion carried with all voting in favor.

SOLICITOR'S REPORT44 South Main Street Lease with Penn-Mar Organization

Since Penn-Mar Organization will no longer be using the building effective January 1, 2018, Sol. Rehmeyer has prepared a termination agreement.

S. Walters moved to authorize the signing of the termination agreement.

F. Arbogast seconded. The motion carried with all voting in favor.

Sewer Issues

Sol. Rehmeyer researched the sewer Agreements and could not find where an EDU was defined as 350 GPD, only in Borough ordinances. He will explore his findings with the New Freedom Borough's solicitor since the Agreements detail the relationship between the Boroughs and other entities involved in the sewer.

Executive Session

An executive session was called at 9:31 to discuss identified, threatened litigation. The meeting was reconvened at 9:39 p.m.

Public Safety, Welfare and Personnel – S. Walters and F. Arbogast

S. Walters thanked Fire Chief Myers for the Fire Company's open house they held last month. S. Walters stated he attended an all-day winter weather training class yesterday and he plans to go to the National Weather Service Forecast office this year yet.

Secretary's Report – C. BosleyYear-end Meeting

Council chose Wednesday, December 27 as the year-end meeting.

York Adams Tax Bureau – M. Sharkey

The collection fee for 2018 will be 1.5%; the Borough will be receiving another unallocated fund distribution; M. Sharkey stated he will be the President of the Tax Bureau in 2018.

Subdivision/Land Development/Planning Commission/Regional Planning Commission – D. Kraatz/S. Walters**UNFINISHED BUSINESS****NEW BUSINESS**2018 Animal Control Contract

Kim Erdman submitted his 2018 contract for 2018 with no changes.

F. Arbogast moved to approve the 2018 contract with Kim Erdman. M. Sharkey seconded. The motion carried with all voting in favor.

COMMUNICATIONS

A letter was received from Rep. Kristin Phillips-Hill informing us of a new law that expands and decentralizes legalized gambling in Pennsylvania. Municipalities can opt-out by December 31, 2017. This will be placed on the issue control sheet and discussed next month.

Pres. Buchanan stated he will be meeting with the Chairman of the Shrewsbury Township Board of Supervisors to discuss Sewer 101 on Monday, November 13.

ADJOURNMENT

F. Arbogast moved to adjourn the meeting at 10:02 p.m.

S. Walters seconded. The motion passed with all voting in favor.

Submitted by Cindy L. Bosley, Sec.