

MINUTES

SHREWSBURY BOROUGH COUNCIL

REGULAR MEETING

October 11, 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; Tony Myers, Fire Chief; Phil Robinson; Nate Kirschman; Bob Kuhn; Charles Nass; Bruce McClure; Randy Engle; Nikolay Ratajczak;

The regular meeting of the Borough Council convened at 7:00 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 that will be presented to Council later this evening. Randy supplied the Borough with a handout from PennState Extension on sanitary well caps with a grout seal around the casing.

Bob Kuhn, Chief Financial Officer with Penn-Mar, was present to discuss the termination of the lease that Penn-Mar has with the Borough for 44 South Main Street. This was taken later in the meeting.

Emily Gloeckner, who is working on her Girl Scout Gold Award, presented a proposal to build a GaGa Pit between the basketball court and restrooms at the playground. The cost is \$3,316.00 with Scout discounts being given. It was suggested that perhaps the Lion's Club and the New Freedom VFW be asked about contributions.

F. Arbogast moved to endorse Emily's project.

K. Wills seconded. The motion carried with all in favor.

Nate Kirschman, 1 Shetland Drive, stated there is a Senate hearing on October 19 in Harrisburg regarding the First Net data network that is being forced upon responders costing considerable money that will be passed on to municipalities, fire companies, etc.

APPROVAL OF MINUTES

The minutes of the September 13, 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 1697 thru 1736; water account check numbers 1272 thru 1291; sewer account check numbers 1174 thru 1180; highway aid account: none; and to approve the financial reports for August and September.

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

APPROVAL OF PAYROLL REGISTER

F. Arbogast moved to approve the September 11 and 25 payroll registers.

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

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

Eitzert Development Staff Review

The plan was reviewed as a courtesy since the majority of the lot created on lot 55 is in the Township. The plan will go back to staff on November 14.

Codes Enforcement

Five permits were issued in September.

Southern Regional Police – Mayor Schnabel

Mayor Schnabel presented the 2018 Southern Regional Police Budget for approval by Council at next month's meeting. A meeting was held to discuss police services with a possible merger with the Northern York County Police Department. It uses the same formula that the Smeal Study recommended. It was the consensus of Council that another informational meeting be scheduled.

M. Sharkey moved to support the continued research on a possible merger.

F. Arbogast seconded. The motion carried with all voting in favor. The Secretary was asked to send a letter to the Police Commission supporting the continued discussion.

Water & Sewer – T. Nadobny/Supt. Sweitzer

Sewer Capacity

T. Nadobny stated the Committee met and recommends a letter be sent to New Freedom Borough regarding the plans for expansion/upgrading of the plant. Also, if additional capacity is available that is not needed for development in the Borough, how should the capacity be sold and to whom? A reservation fee may be enacted for Borough property owners to reserve capacity. The sewer capacity study goes to the end of the year and Eng. Lipinski stated he can have the analysis finished by early February.

AMP Water Tank Leak

The water tank leak was repaired on September 19 by Mid-Atlantic Storage Systems. The only cost was a donation to Eureka Fire Company for use of their ladder truck since the leak was 70 feet high. The amount of \$50,000.00 was budgeted for the draining and repair of the tank.

Wellhead Protection Meeting

A meeting is scheduled for November 29 to review the plans of Gannett Fleming regarding the detention pond at Exit 4. Supt. Sweitzer said the Committee can also review the well closure ordinance for homes in the Township that get connected to the York Water Company.

Public Roads & Lighting – M. Sharkey and Supt. Sweitzer

North 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 this response will be asked for in writing.

Crack Sealing

Some roads will be crack sealed the week of October 16.

East Church Avenue “No Trucks Allowed Signs”

M. Sharkey moved to adopt Ordinance 2017-4.

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

Driveway Paving and Borough Roads

The Roads Committee has started the tour of the Borough to make a list of the problem driveways where extra paving was installed that diverts the water out into the street.

Public Lands, Buildings and Finance – F. Arbogast2016 Audit

Bank reconciliations and statements will now be reviewed and initialed by the Secretary; each employee will sign his/her own time card with the department heads initialing each one; a formal agreement will be prepared between the Borough and the Authority to define how costs and projects are shared financially.

F. Arbogast moved to approve the final 2016 audit report.

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

ENGINEER'S REPORT2017 Waterline Replacement Project

Eng. Lipinski presented a Recommendation of Payment #1 to MACMOR Construction, LLC in the amount of \$49,028.91.

T. Nadobny moved to pay MACMOR Construction, LLC the amount of \$49,028.91.

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

PennDOT Main Street Curb Replacement

The project engineer's recent email indicated that PennDOT did not agree with Eng. Lipinski's proposed cross-section as the milling would affect the parabolic concrete section of the roadway and he offered a different roadway cross-section to use. Eng. Lipinski will evaluate the new cross-section, but he feels the curb elevation will be increasing. If the curb elevation becomes too high, the Borough may not be able to provide adequate sidewalk access or stormwater drainage.

Apple Tree Detention Pond

Eng. Lipinski and Supt. Sweitzer met at the stormwater detention pond on September 15 after the property owner at 9 Wineberry Drive was at the September meeting about a runoff problem. Eng. Lipinski asked the developer to clear the pond of all vegetation so the outfall could be viewed. The pond was inspected again on October 5 and the debris was cleared. Eng. Lipinski and Supt. Sweitzer investigated the stormwater discharging

from the detention basin during the October 9 rain event. Discharge from the basin flows in two directions, one onto the Doonan property and the other onto the existing sewer easement. It is unclear based on the recorded plans if stormwater always flowed in both directions or if it was modified by the subdivision or home builder. The existing conditions plan of the recorded plan set show a 50-foot wide floodway in both directions centered on the existing channel located through the woods. Since no structures are shown on the Doonan property on the existing conditions plan, Eng. Lipinski cannot evaluate if the shed located in their rear yard is within this floodway. The developer provided documentation about an offer made through her engineer, to the Selwoods (former owner of the pond), and Doonans in 2012 to construct a swale on their properties, at her expense, to redirect the stormwater runoff which was not accepted by these two property owners. The Doonans were unresponsive and non-cooperative. Based on this information, the Borough is taking the position that it is now a situation between the two property owners. A letter will be sent to the Doonans explaining the findings with a copy to Ms. McCleary to see if she is still willing to have the work she suggested performed.

Well Closures in the Township

The DEP and EPA have some guidance on wells that are not in service and shall be properly abandoned, plugged and sealed when the following occurs: any wells that have not been used within the preceding 12 months; any wells for which the equipment necessary for production has been removed; or any wells considered dry; or any wells where there is existing or potential ground-water contamination.

South Main Street Sidewalks

Eng. Lipinski asked Eng. Jim Holley what he recalled about the sidewalks that were replaced when PennDOT repaved South Main Street years ago and he believes the property owners had to pay for the sidewalk work.

Market Square Stormwater Analysis

Eng. Lipinski updated his analysis from August 31.

SOLICITOR'S REPORT

44 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 will be preparing a termination agreement.

M. Sharkey moved to release the Penn-Mar Organization from the lease for 44 South Main Street effective January 1, 2018.

K. Wills seconded. The motion carried with all voting in favor.

Executive Session

An executive session was called at 8:51 p.m. to discuss a legal matter consisting of threatened litigation.

The meeting was reconvened at 9:10 p.m.

Police Agreement

Sol. Rehmeier's office provided notice of the Borough's withdraw from the Police Contract to the municipalities and the Southern Regional Police Commission by certified mail and the letter was received by all municipalities.

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

S. Walters reported the SCEMA met in September; Railroad Borough has not appointed its representatives as yet. He will be attending an emergency preparedness class and also a winter weather class. He also plans on visiting the National Weather Service at State College.

Secretary's Report – C. Bosley

The tree lighting ceremony will be held on Sunday, December 3 at 6:00 p.m.

York Adams Tax Bureau – M. Sharkey

The next meeting will be on October 30 at which time the proposed budget will be acted upon.

Subdivision/Land Development/Planning Commission/Regional Planning Commission – D. Kraatz/S. Walters

S. Walters attended the LGAC meeting that stated there is a shortage of elder housing and an upcoming meeting will address what municipalities can do to improve this situation.

UNFINISHED BUSINESS

Sidewalks

The Committee met again and K. Wills asked if Council is supportive of the Committee continuing to meet and to try to secure funding in order to fund the project to improve public safety. Various grants are available but engineering needs to be done to determine

the scope of the work. K. Wills spoke with Will Clark of the YCPC who is checking to see if it can act as a consultant. It was unanimous that the Committee continue to try to securing non-matching funding to correct the public safety issue with the sidewalks. It was felt that the Village District be done first and then extend out further as a multi-year plan. A courtesy letter will be sent to the affected residents about their potential liability and to see if they feel there is a sidewalk safety problem and if they would be interested in attending a meeting. If no grant funding is available, the residents would be required to repair their own sidewalk. An article will also be placed in the newsletter.

NEW BUSINESS

2018 S.P.C.A. Agreement

F. Arbogast moved to approve the 2018 Agreement with the S.P.C.A.
S. Walters seconded. The motion carried with all in favor.

Trick or Treat

S. Walters moved to set Trick or Treat for October 31 from 6:00 to 8:00 p.m.

COMMUNICATIONS

ADJOURNMENT

T. Nadobny moved to adjourn the meeting at 9:55 p.m.
D. Kraatz seconded. The motion passed with all voting in favor.

Submitted by Cindy L. Bosley, Sec.