

## MINUTES

## SHREWSBURY BOROUGH COUNCIL

REGULAR MEETING

AUGUST 10, 2011

PRESENT: Richard R. Buchanan, Carl W. Munch, Michael W. Ridgely, Michael G. Sharkey, Christopher M. Skoglund, Eric W. Stoley and Jason J. Traband

## OTHERS

PRESENT: Eric Suter, Esq.; James R. Holley, P.E.; Brian L. Sweitzer, Supt. of Public Works; E. Michael and Linda Lee of Codes Enforcement; Tony Myers, Fire Chief; Nancy Ridgely; Richard Winemiller; Brendon Kroner, Troop 90; Bill Webb; Tyler Harpster; Lee Bohn; Gene Ware

The regular meeting of the Borough Council convened at 7:36 p.m. in the Borough Municipal Building, 35 West Railroad Avenue, with President Ridgely presiding.

**CITIZEN'S COMMENTS**

Richard Winemiller, 121 West Forrest Avenue, said he is having problems with vandalism to his vegetable garden during ballgames. He would like the Borough to post No Trespassing signs. Mr. Winemiller was told to call the police when this happens. Council asked B. Sweitzer to look at this area.

Brendon Kroner, Eagle Scout candidate with Troop 90, inquired about making some improvements at the playground for his Eagle Scout project. The work would involve enclosing the refreshment stand to make a storage room, adding shelving, replacing the rotted T111 siding, painting both dugouts, removing the remainder of the scoreboard, stoning the dugouts, and painting the outfield signs. B. Sweitzer will be the point of contact. It is anticipated the cost will be below \$1,000.00.

C. Skoglund moved to have Mr. Kroner go ahead with the project with a funding limit of \$1,000.00, payable from the Recreation Fund.

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

Bill Webb, Shrewsbury Township Planning Commission, was present to ask for support of an EPA/DEP grant funding application for creek restoration work to be performed along Deer Creek in front of the Cracker Barrel restaurant in the

wetland area. The second project is in the area of Mt. Airy Road and Windy Hill Road where there is a small tributary. Mr. Webb said there was a study sponsored by local developers, including Phil Robinson, that was performed in 2008 that showed there was a need for restoration. E. Stoley stated the Borough would like to see this study. R. Buchanan stated there was a Federal and State study done of the complete Deer Creek tributary system by governmental agencies around the same time frame and he does not recall that study mentioning deficiencies in the creek in the area east of Shrewsbury Borough, in front of the Cracker Barrel restaurant. There are concerns that this work could indirectly impact what we are allowed to do that is governed by the Susquehanna River Basin Commission as far as the amount of water we can draw from the pumphouse wells. We don't see this work as a benefit to the Borough and could actually create a hardship; we would rather not see it done. Eng. Holley stated that the information was received today and there is not enough time to research the matter to see what the impact would be on the Borough. Mr. Webb stated any letter of support would be due by August 12 and the grant application is due on August 29. Mike Lee stated that Hopewell Township has no interest at this time and if trees are planted along the creek it could hinder repair work on our sewer line.

Mr. Webb stated the Township would put a hold on the request to work on the area east of the Borough and focus on the other site.

A letter will be sent to the Township that the Borough needs more information and time to make a decision since it was just brought to our attention the day of the meeting.

Eugene Ware, 232 West Forrest Avenue

The bricked mailbox post was backed into and pushed over by the backhoe this past plowing season. The Public Works Department put a strap around it and set it aright, however, it is out of alignment. It was unknown at the meeting why the insurance company denied payment of the claim. E. Stoley asked for a copy of the denial letter.

Lee Bohn of 28 Brandywine Drive, regarding a sewer backup into her basement awhile back that caused damage to her flooring and a wall. The blockage was in the street and was caused by tree roots in the development. Mrs. Bohn's insurance carrier denied her claim and the Borough falls under municipal immunity as the blockage was not caused by the Borough. Mrs. Bohn was told she should purchase sewage and drain backup insurance through her homeowner's policy.

## **APPROVAL OF MINUTES**

The minutes of the July 13 meeting were approved by unanimous consent by those who were at that meeting.

## **APPROVAL OF EXPENDITURES AND REPORT OF ACCOUNTS**

C. Skoglund moved to approve the expenditures and report of accounts for July.  
E. Stoley seconded. The motion carried with all in favor.

## **BILL LIST**

The bill list for July was presented: General account: check numbers 10693 thru 10737; Water account: check numbers 4610 thru 4624; Sewer account: check numbers 4354 thru 4362; Highway Aid: check numbers 845 thru 847.

C. Skoglund moved to approve the July bill list.  
M. Sharkey seconded. The motion carried with all in favor.

## **PAYROLL REGISTER**

C. Skoglund moved to approve the July 11 and 25 payroll registers.  
J. Traband and C. Munch seconded. The motion carried with all in favor.

## **SUBDIVISION AND LAND DEVELOPMENT BUSINESS**

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

The May police report was highlighted. Buck reported there were ten drug-related arrests in June. Our patrol time went down 5.36%; New Freedom Borough's time went up by 3.59% and Glen Rock Borough's time went up by 1.77%. The police arbitration hearing was held and it may take four to five months for an answer. Last month, the Southern Regional Police Commission wrote a letter of response to New Freedom Borough's letter to its residents.

### **Codes Enforcement** – E. Michael Lee

#### Enforcement Notices

The property at 29 Covington Drive is in compliance and the owner of 92 Skyview Drive has until August 17 to finish what he started. The property owner at 6 Covington Drive has started clean-up and his deadline is August 20. The owners of 40 and 44 East Tolna Road have started their work and the deadline is also August 20. The property at the northern edge of town has been checked and it does appear an automotive repair business is being operated at the property. Mike has an appointment next week to look for proof of ownership of all of the vehicles. The owner of 34 South Main Street has received another notice. The wall at the apartment building on North Highland Drive has been completed and the Borough can release the bond.

E. Stoley moved to approve the release of the bond in the amount of \$20,351.56 that was being held for the wall repair.

J. Traband and C. Munch seconded. The motion carried with all in favor.

### Retaining Wall

Mike was asked to check the small retaining wall that is on the curb line at the intersection of East Tolna Road and Crosswind Drive.

[In honor of Eng. Holley's retirement, a short break was held starting at 9:07 p.m. for refreshments and ended at 9:35 p.m.]

### Water & Sewer – Richard R. Buchanan

#### School District Sewer EDUs

A letter was received from the school district that since they are not using all of the 52 EDUs they purchased, they would like to sell 37 back at the same price they paid for them, \$2,410.00.

R. Buchanan moved to approve the purchase of 37 sewer EDUs back from the Southern School District at a price of \$2,410.00 each for a total of \$89,170.00.

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

#### Sewer Leaks

The Public Works Department has detected three substantial leaks from the sewer televising. There are significant amounts of groundwater infiltration into our sewer system. The repairs will cost \$7500 and save us 17,290 gallons of

infiltration per day. The leaks are located on Tolna Road, Elm Drive, and Habelston Avenue.

### Greasetrap Maintenance

The Public Works Department collects greasetrap records every six months from customers that discharge grease or oil. The customers have greasetraps or oil interceptors and must maintain records to assure that grease or oil is not discharged into the sewer system. Arby's is the only customer not able to produce greasetrap reports. The new management team is not able to produce adequate records. Management is working with corporate to find the paperwork.

The Municipal Authority should authorize a letter to be sent to Arby's at its September 28 meeting.

### Sewer Camera Payback

The sewer camera was purchased in May 2006 for \$104,040.00. The camera has paid for itself with leak detection and savings from repairing inflow/infiltration points in our sewer system. Other municipalities and organizations were billed for subcontracting work on their systems. We bill \$100/hour for our camera services.

We have billed for \$15,973.20 subcontracted services:

- Southern School                      \$4983.20
- Stewartstown Borough              \$1862.50
- Jacobus Borough                      \$830.00
- Glen Rock Borough                    \$435.00
- Shrewsbury Township                \$1590.00
- Dover Borough                         \$6272.50

### Krout's Development Curbboxes

The Public Works Department has located and mapped all but 12 of the water shutoff curbboxes.

### Public Roads & Lighting – Eric W. Stoley

B. Sweitzer included a road inventory as part of the report. Crack sealing will take place in September or October on numerous streets.

### Three-Way Stop Intersections

Due to safety and enforcement issues of the stop signs on the thru streets at East Tolna Road and Crosswind Drive and at East Clearview Drive and Kelly Drive, it was the consensus to remove the thru-street stop signs based on a 1998 traffic study that the three-way stop intersections can't be used to control speed and are not enforceable.

The two stop signs traveling east and west on East Clearview Drive at the intersection with Kelly Drive will be removed and the two stop signs traveling east and west on East Tolna Road at the intersection with Crosswind Drive will be removed. B. Sweitzer was asked to post a sign on the stop sign post at Crosswind Drive and Kelly Drive that says "cross traffic does not stop". An item will also appear in the newspaper.

E. Stoley moved to remove the three-way stop intersections on East Clearview Drive and East Tolna Road having a stop sign on Crosswind Drive and Kelly Drive with the posting of the warning that cross traffic does not stop on both stop signs. C. Skoglund seconded. The motion carried with all in favor.

#### LED Automated Red Light Enforcement Funding

Agreement for reimbursement by PennDOT of the cost to upgrade all of the traffic light bulbs was received.

E. Stoley moved to authorize the signing of Resolution 2011-5 authorizing President Ridgely to sign the Reimbursement Agreement. M. Sharkey seconded. The motion carried with all in favor.

#### Heatcote Glen II Road Ageement

The solicitor for Shrewsbury Township felt the paragraph related to cancellation of the agreement should be removed.

E. Stoley moved that cancellation clause be left in but ask the Township for different terms as to any cancellation. R. Buchanan seconded. The motion carried with all in favor.

#### Street Cut Resolution

E. Stoley moved to adopt Resolution 2011-3 to amend street cut ordinance 2005-10 to allow for a \$45.00 per hour inspection fee for street cuts. C. Skoglund seconded. The motion carried with all in favor.

### Fee Schedule Amendment Resolution

C. Skoglund moved to adopt Resolution 2011-4 to amend the 2004 fee schedule to include the \$45.00 per hour inspection for streets cuts.

### **Public Lands & Buildings and Finance** – Christopher M. Skoglund

#### 2012 Budget Meetings

Meetings are scheduled for October 5, October 26, November 16, and November 30 with a deadline for input by September 22. The Water & Sewer and Roads Committees will schedule a meeting to be advertised as well to discuss those budget lines.

#### Memorial Garden

C. Skoglund moved that the garden area, meticulously planted and maintained by employee William Murphy, at the flag pole entrance be dedicated in memory of Kellie Sweitzer, wife of Brian Sweitzer and in memory of Emma Murphy, wife of William Murphy. Kellie and Emma both passed away within the past year. M. Sharkey seconded. The motion carried with all in favor.

### **ENGINEER'S REPORT**

Eng. Holley's last meeting. His firm has served the Borough Planning Commission since 1981 and the Borough and Authority since 1982. Jim introduced David Lipinski, P.E. who will be taking Jim's place.

### **SOLICITOR'S REPORT**

#### Gymnastics of York, Inc. and York Traditions Bank

An informal meeting with the neighbors will be held on August 24 to review past concerns with representatives from the gymnastics business and the bank.

#### Stormwater Management Update

James R. Holley & Assoc. is in the process of drafting an ordinance.

#### Stewartstown Railroad

A letter was previously sent to the Surface Transportation Board that the Borough has no opinion in that matter, but has a certain interest in the future of the rail line. If a rail trail was developed, we need to raise concern about the crossing at Main Street.

**Public Safety, Welfare and Personnel** – Michael G. Sharkey

Open Burn Application Amendment

The revised application was approved with the addition of the definition of open burning being added.

Lifting of Burn Ban

Fire Chief Myers recommended the burn ban be lifted and that future burn bans should allow cooking grills only.

R. Buchanan moved to lift the burn ban.

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

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

Basket Bingo

The Shrewsbury Vol. Fire Company Ladies Auxiliary is having a basket bingo on September 25 and asked if the Borough wanted to donate an item.

C. Skoglund moved to donate a purse in the amount of \$92.00.

J. Traband and R. Buchanan seconded. The motion carried with all in favor.

**York Area Tax Bureau** – Michael G. Sharkey

Model Ordinance

The York Area Tax Bureau prepared a draft ordinance and M. Sharkey is asking for comments prior to it being prepared.

**Executive Session**

An executive session was called at 10:01 p.m. to discuss current litigation.



The meeting was resumed at 10:32 p.m.

**Subdivision, Land Development & Zoning** – Eric W. Stoley

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

### **UNFINISHED BUSINESS**

### **NEW BUSINESS**

#### **Williams Pipeline Project**

A letter was received that the large gas pipeline project is back on track but under a new name. It is proposed to pass through the farmland at the very north end of the Borough.

#### **Re-appointment**

E. Stoley moved to re-appoint Russell Palmer to the Planning Commission with a new term to expire July 15, 2015.

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

#### **Trick or Treat**

M. Sharkey moved that trick or treat night will be on October 31 from 6:00 p.m. to 8:00 p.m.

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

### **COMMUNICATIONS**

#### **Rail Trail Meeting**

The York County Rail Trail Authority is holding a public meeting on August 15 at the library.

### **ADJOURNMENT**

C. Munch moved to adjourn the meeting at 10:45 p.m.

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

Submitted by,  
Cindy L. Bosley, Sec.