

## MINUTES

### SHREWSBURY BOROUGH COUNCIL

REGULAR MEETING

NOVEMBER 14, 2007

PRESENT: Richard R. Buchanan, Michael R. Caum, Thomas D. Metz, Michael W. Ridgely, Peter W. Schnable, 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; E. Michael Lee of Codes Enforcement; Abdo G. Nasim; Tony Myers, Fire Chief; Roland and Ruth Smith, Penny Schwarz; Michael Eagan, Atty. Jay Kalasnik; Wade Winemiller

The regular meeting of the Borough Council convened at 7:30 p.m. in the Borough Municipal Building, 35 West Railroad Avenue with President Schnabel presiding.

#### CITIZEN'S COMMENTS

Richard Varney of 3 Woodland Drive had asked to be on the agenda but was not present.

#### APPROVAL OF MINUTES

C. Skoglund moved to approve the minutes of the October 10 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 September.

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

#### BILL LIST

The bill list was presented for October; General account: check numbers 8600 thru 8656; Water account: check numbers 3872 thru 3890; Sewer account: check numbers 3799 thru 3809; Highway aid: no checks.

M. Ridgely moved to approve the bill list for October.

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

### **SUBDIVISION AND LAND DEVELOPMENT BUSINESS**

Mike Eagan and Attorney Jay Kalasnik were present regarding 380 North Main Street. Mr. Eagan has been before the Zoning Hearing Board two times to try to continue what he feels is a non-conforming use. The first application was for car sales and repairs and is on appeal with the Court of Common Pleas. The second application was to allow warehousing of fireplace inserts. The Zoning Hearing Board felt the proper procedures were not followed in the past for the prior uses at that address and the Board does not recognize it as a continuing non-conformity. Mr. Eagan asked Council to consider amending the Zoning Ordinance to allow a small warehouse in the R-A zone or consider rezoning the property to Commercial.

An issue raised by the Zoning Hearing Board was the proposed two principal uses which would be residential and a warehouse and the square footages for each not being met.

Penny Schwarz of 379 North Main Street, Wade Winemiller of 24 Valley Road and Roland Smith of 376 North Main Street were not in favor of rezoning. The rear setback for the of the warehouse buildings is two feet in one area and four feet in another area and were added onto without a permit.

Mike Lee said he thought Mr. Eagan would have no problem in continuing with a non-conforming use at this location.

All Council members present were opposed to amending the Zoning Ordinance to allow warehousing as a use by right or by special exception as this would be changing the Ordinance for one property.

The consensus of Council was to not rezone the property because of the potential uses that could go in but because of the history of commercial-type uses, they would like to see Mr. Eagan be able utilize the garage space.

Council asked Solicitor Rehmeyer to work with Mr. Eagan's attorney, the Subdivision, Land Development and Zoning Ordinance Committee and the neighbors to come up with a solution to allow a passive warehouse use for the garage units. This would be a negotiated compromise with input from the neighbors and an agreement signed by Mr. Eagan. The use of the community meeting room was offered.

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

Buck highlighted the report for September. The police budget was approved with a \$41,000 increase for the Borough, just under \$5,000 for Glen Rock Borough and \$59,000 for New Freedom Borough. New Freedom Borough had asked for more hours and patrol time.

**REPORTS**

**Codes Enforcement** – E. Michael Lee

Mike reported construction has dropped off. Mike was asked to check into abandoned vehicles, particularly in the Krout development. Mike was also asked to look at the sandwich signs that are appearing and some are within the sight triangle which should be removed as soon as possible.

**Water & Sewer** – Richard R. Buchanan

**218 South Main Street High Water Consumption**

Bryan Brown received a third quarter bill for 85,700 gallons. The meter was read on three occasions after that and it appears his consumption is back to normal which takes away the doubt of the meter failure. As usual, the property owner has the option of having the meter removed and tested. We will offer to read his meter weekly for 30 days to track usage.

**Sewer Deduct Meter for 25 West Clearview Drive**

An application for a sewer deduct meter for Shades of Green Landscaping was received. The business does not meet the five EDU requirement and five out of the last eight quarters, the business has used two EDUs.

The Secretary was directed to bill Shades of Green for one additional water and sewer EDU and that the business does not meet the requirements for a sewer deduct meter.

#### Shrewsbury Shopping Center (former Kmart)

A letter was received from the shopping center's attorney asking for a meeting to discuss whether the additional sewer EDUs required should come from the Borough or the Township. The mutual agreement was the Borough would no longer sell EDUs outside the Borough and the lawsuit filed by Hopewell Township several years ago for extra capacity was unsuccessful. There will be no meeting and the owner of the shopping center was previously instructed to purchase their EDUs from Shrewsbury Township, who agreed to sell a representative of the shopping center two EDUs in 2006.

#### **Zoning Hearing Board Appointments**

E. Stoley moved to appoint John T. Speights as a sitting member of the Zoning Hearing Board with a term to expire January 1, 2010.

T. Metz and C. Skoglund seconded. The motion carried with all in favor.

E. Stoley moved to appoint Abdo G. Nasim as an alternate for the Zoning Hearing Board with a term to expire January 1, 2010.

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

Abdo will resign from the Municipal Authority.

#### Water Theft at 19 Briarwood Road

Buck stated he must file charges with the PA State Police since the resident lives in the Township.

#### **Public Roads & Lighting** – Christopher M. Skoglund

Tree at 311 West Forrest Avenue

Notice was given to the property owner to trim the tree to a height of seven feet with a deadline of November 15. B. Sweitzer said he will make one more attempt to work with the property owner and if that is unsuccessful, Solicitor Rehmeyer was instructed to send the ten day notice that the work will be done by the Borough.

Parking Issue on East Clearview Drive near North Main Street

A resident said she has trouble backing out of her driveway if a car is parked on the south side of East Clearview Drive near North Main Street

A letter will be sent to the County's Traffic Engineer asking for a study to see if parking should be prohibited on East Clearview Drive between North Main Street and North Highland Drive.

Parking Issue on South Main Street at South Church Street

A complaint was raised that on Sunday mornings vehicles park in front of 161 South Main Street and block the sight view when pulling out of South Church Street.

The curb will be painted yellow 15 feet from the intersection.

Resolution to Upgrade Two Street Lights

C. Skoglund moved to sign the resolution provided by Met Ed for the upgrading of street lights at 17 South Main Street and 144 North Main Street.

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

**Public Lands, Buildings and Finance** – Michael W. Ridgely

Tentative 2008 Budget Adoption

The 2008 budget will be adopted tentatively at the December 12 meeting.

Year-end Meeting

M. Ridgley moved to set December 26 as the year-end meeting to adopt the final 2008 budget with a millage rate of 1.42.

T. Metz seconded. The motion carried with all in favor.

### VGA Projector and Screen

The EMA is requesting authorization to purchase a VGA projector and screen which can also be utilized for Borough meetings.

M. Ridgley moved to approve the purchase of the projector and screen if there is money in the budget.

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

### New Swings at Playground

B. Sweitzer said a flat area 40 x 60 is required for the swing set and there is not enough flat land available.

## **ENGINEER'S REPORT**

### Covington Ridge Detention Pond

The developer contacted Engineer Holley to see if they could leave the sloped area with the existing vegetation as is with the understanding they re-do the rest of the pond per the plan. The plan calls for a four foot retaining wall. If the plan is not followed, a release would be required from the purchaser of the house listing what was changed from the original plan. Tony Myers said grading has been going on for the past week which means the original plan is being followed. Engineer Holley was asked to inspect the wall and submit a report.

## **SOLICITOR'S REPORT**

### Grease Trap Ordinance

Solicitor Rehmeyer was authorized to advertise the ordinance for adoption.

### Grim's Glass and Plastics



Caum	yes, in favor
Metz	yes, in favor
Ridgely	yes, in favor
Skoglund	yes, in favor
Stoley	yes, in favor
Schnabel	yes, in favor

**Planning Commission** – Eric W. Stoley

**UNFINISHED BUSINESS**

**Water Rate Breakdown**

Buck is working on increasing water rates and decreasing sewer rates. The tiers will be 8,000 gallons, 16, gallons, 20 gallons, 24 gallons and 31 gallons.

**NEW BUSINESS**

**OTHER BUSINESS**

**COMMUNICATIONS**

**ADJOURNMENT**

C. Skoglund moved to adjourn the meeting at 10:04 p.m.  
M. Caum seconded. The motion carried with all in favor.

Submitted by,  
Cindy L. Bosley, Secretary