

MINUTES

SHREWSBURY BOROUGH COUNCIL

REGULAR MEETING

SEPTEMBER 12, 2012

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

OTHERS

PRESENT: Brian L. Sweitzer, Supt. of Public Works; Jeffrey L. Rehmeyer, II, Esq.; David Lipinski, P.E.; Larry Zimmerman, Shrewsbury Events Committee; Keith Hunnings, Phil Robinson; John Seman, III; Judith Hooper, Vice President, library board

The regular meeting of the Borough Council convened at 7:34 p.m. in the Borough Municipal Building, 35 West Railroad Avenue, with President Ridgely presiding.

In memory of a long-time Borough resident and business owner, President Ridgely asked for a moment of silence for Frank "Bud" Haven.

CITIZEN'S COMMENTS

Judith Hooper, Vice President of the library board, was present to thank the Borough for its continued support of the library. She invited Council and Mayor Schnabel to the presentation on September 18 to show how the funds are spent and for all to see the facility. Hopefully, after the presentation another member municipality will agree to contribute more.

John Seman, III, owner of 430 South Main Street (former Rehmeyer building), was present about the bill he received for water line installation. Mr. Seman is restoring the building and decided he may need to install a sprinkler system in the future so he decided to have the Public Works Department install a two inch water line. The water main is across the street and had to be bored under Main Street. Mr. Seman was under the impression it was going to cost around \$5,500.00 and the bill was \$12,742.93 which included the cost of the subcontractor to drill under Main Street, PennDOT permit, materials, equipment usage, finish patch, and labor to open up the storm sewer, gas main, telephone bank, flagging, etc. . The original price of between \$1,000.00 – 2,000.00 was for a three-quarter inch line.

R. Buchanan was asked to meet with B. Sweitzer and Mr. Seman prior to the Committee meeting.

APPROVAL OF MINUTES

The minutes of the August 8 meeting were approved by unanimous consent by those who were at the meeting.

APPROVAL OF EXPENDITURES AND REPORT OF ACCOUNTS

C. Skoglund moved to approve the August expenditures and report of accounts. M. Sharkey seconded. The motion carried with all in favor.

BILL LIST

The bill list for August was presented: General account: check numbers 11284 thru 11317; Water account: check numbers 4800 thru 4819; Sewer account: check numbers 4514 thru 4524; Highway Aid: none.

C. Skoglund moved to approve the August bill listing. E. Stoley seconded. The motion carried with all in favor.

PAYROLL REGISTER

C. Skoglund moved to approve the August 5 and 20 payroll registers. J. Traband and R. Buchanan seconded. The motion carried with all in favor.

SUBDIVISION AND LAND DEVELOPMENT BUSINESS

Traffic Study 95 East Forrest Avenue

PennDOT may not require a full traffic study to be done at this intersection as a result of a proposed Auto Zone. A meeting is scheduled for September 27 at 1:30 p.m. at the PennDOT building in Harrisburg. Eng. Lipinski will be in attendance.

E. Stoley moved that a full traffic study be done at this intersection.
C. Munch seconded. The motion carried with all in favor.

95 East Forrest Avenue Grading Plan

The grading plan with a revision date of September 5, 2012, was reviewed. The plan exceeds the 6 foot requirement under Section 312 of the Zoning Ordinance since unapproved grading was done on this lot within the past two years which raised the original grade between one and two feet. Phil Robinson stated the revised plan will need to have full DEP and Soil Conservation Service approval. PA DEP has given the owner permission to close the three monitoring wells and the Borough was given permission to close the potable well. Council felt it wanted to look at the whole picture as to how the lot would be developed in the future. Council also felt a representative of the owner should be at the meeting.

E. Stoley moved to reject the plan since prior fill had been graded which raised the original grade which causes the presented plan to violate Section 312 of the Zoning Ordinance. The original grade needs to be clarified.
M. Sharkey seconded. The motion carried with all in favor.

Southern Regional Police Department – Richard R. Buchanan

Buck stated our service hours are increasing which will result in a small increase for next year. A meeting was held with Stewartstown Borough as the study completed by the State recommended that Stewartstown join the Southern Regional Police. President Ridgely stated the Council presidents will meet again in early October to discuss the funding formula. Buck stated a meeting will be held on September 18 at 7:00. Mayor Schnabel and Chairman Myers will not be able to attend and the first substitute, President Ridgely, is also unable to attend. In order to have a quorum, two additional substitutes should be appointed. C. Munch volunteered.

M. Sharkey moved that Carl Munch be appointed as a substitute.
C. Skoglund seconded. After further discussion, J. Traband volunteered to be a substitute.
R. Buchanan moved to amend the motion that Jason Traband be appointed as a substitute as well.
E. Stoley seconded. The motion carried with all in favor.

A letter will be sent to the Southern Police Commission with a copy to Carl and Jason.

Codes Enforcement

Appointment of Zoning Officer/BCO/Codes Official

R. Buchanan moved to appoint South Penn Code Consultants, LLC (Keith Hunnings) as Zoning Officer/BCO/Codes Official retroactively to August 30. EML (Codes Enforcement E. Michael Lee) will continue as the Assistant Zoning Officer/BCO/Codes Official in order to finish up the permits already issued. E. Stoley and J. Traband seconded. The motion carried with all in favor.

Separate Insurance for Zoning Officer

Confirmation was received from the Borough's insurance agent that South Penn Code Consultants, LLC (Keith Hunnings) would be covered under the Borough's Public Official's liability policy after appointment for work done for Shrewsbury Borough only. Keith will not be doing any building inspection work as that is done by Commonwealth Codes. Council will not require a separate liability policy for Keith.

Beehive at 112 Brook Meadow Circle

The property owner is asking if she can have a small beehive at her property. Council discussed the matter of public safety, whether there is enough room for this activity and whether it's a use by right. Council will not take a formal position and Keith was asked to use his best judgment on the matter.

Water & Sewer – Richard R. Buchanan

Water Leaks

Very early on August 14, the ten inch pipe next to the Chick-fil-A restaurant east of Mount Airy Road was detached from the ten inch valve. The system lost 170,000 gallons of water in 45 minutes due to the open pipe. The water pressure alarm sounded at 3:10 a.m. and within a short time, B. Sweitzer had the leak pinpointed. He arranged for Fox Tapping to install an in-line valve (\$17,508.00) to prevent the existing valve from blowing off the pipe and allowing some

commercial customers to continue to have water while the repair was completed. If the line would have been shut down, the customers would have had to boil water for a minimum of four days.

R. Buchanan moved that the funds up to \$25,000.00 be taken from water capital reserves to cover the emergency repairs.

J. Traband seconded. The motion carried with all in favor.

J. Traband commended Brian on his quick response of finding the leak and for getting the repair made quickly as well.

A second leak was repaired on August 14 at the Mason Dixon Restaurant.

Sewer Backup

A sewer backup occurred at the Mason Dixon Restaurant due to excessive grease. The line was televised and found to be in violation of the grease discharge ordinance. Kline's Services flushed the line on August 22 at the shopping center's expense. After a backup in 2009, the Borough forced the restaurant to increase the size of the greasetraps and receive commercial cleaning through Kline's.

The Committee will review the ordinance and come up with a policy on how long a business will have to do maintenance every six months if satisfactory after one maintenance period.

95 East Forrest Avenue Monitoring and Domestic Wells

The Department of Environmental Protection has given the property owner approval to close the wells at 95 East Forrest Avenue. The property owner has requested the Borough to properly abandon all wells at the owner's expense. We are responsible for the domestic well with the Wellhead Protection policy but the monitoring wells will be an additional cost. With Council's approval, the Public Works can close all wells while on the site.

Blouse Well Pump Test Plan Right-of-Way Agreements

The Borough needs access to several properties along Trout Run in order to do a 72-hour pump test at the Blouse Well. We need to install above-ground piping to discharge the water during the testing. Solicitor Rehmeier has prepared the agreement and four of the six agreements have been signed and notarized. We are

very close to starting the Blouse Well testing. After the agreements are signed, we must wait until SRBC allows us to begin testing depending on the water table.

Capital Charges New Freedom Borough

After B. Sweitzer and J. Holley questioned how certain items were classified and billed in the last proportionate sharing report, New Freedom Borough went back to the year 2000 through 2007 and reviewed how it billed the Borough and sent a bill for \$12,083.00. The Municipal Authority voted to pay no more than half since the statute of limitations was passed.

R. Buchanan moved to follow the recommendation of the Municipal Authority and to pay no more than half of the back billing and it is hoped that this will not happen again.

E. Stoley seconded. Roll call vote:

Buchanan	yes, in favor
Munch	yes, in favor
Skoglund	yes, in favor
Sharkey	no, opposed
Stoley	no, opposed
Traband	yes, in favor
Ridgely	yes, in favor

Public Roads & Lighting – Eric W. Stoley

Snow Plow Bids

One bid was received: Aquatic Resource Restoration in the amount of \$120.00 per hour.

E. Stoley moved to accept the bid of Aquatic Resource Restoration in the amount of \$120.00 per hour.

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

Woodland Driveway Columbia Gas Patch

B. Sweitzer contacted the Columbia Gas project leaders to widen their patch to include our intersection blacktop problems as the wearing course has loosened from the binder course and peeled away. It was reported that this work was done.

Woodland Drive Debris

Heavy rainstorms washed stones and gravel from the first stone driveway north of Woodland Drive into the intersection. The Woodland Drive and North Main Street intersection becomes unsafe with loose stone and residents claim that ever since York Water installed the water line under Interstate 83, excessive rain exits the fields to the north onto Main Street and surrounding properties. After the crop is harvested, we will study where the runoff originates.

A letter will be sent to the property owner with the stone driveway to ask what he plans on doing to prevent his stones from washing down along Main Street and onto Woodland Drive, which could damage the street and cause traffic safety concerns.

ENGINEER'S REPORT

Selwood/McCleary Minor Subdivision Plan and Apple Tree Court Plans

Both plans were forwarded to the September 24 Planning Commission meeting by staff review.

East Forrest Avenue Grading

Council would like to see a development plan connected to the grading plan for 95 East Forrest Avenue. The parcel across the road, where the former trailer park was, is having dirt graded off and this is where the dirt that would be placed at 95 East Forrest Avenue would come from.

The Secretary was asked to send a letter to the Township to see how stormwater is going to be addressed on the parcel across the road from 95 East Forrest Avenue.

Heathcote Glen II

Eng. Lipinski stated the plan will not be recorded until the outstanding invoice is paid. Also, the developer, Phil Robinson, disagrees on how the bond amount is being calculated. Eng. Lipinski's office feels the bond should be based on prevailing wage rates in case the bond needs to be called and the Borough has to

have the work done. Council felt the bond should be based on prevailing wage rates since it would then become public funds if the bond is called.

Southern Farms Sewer Relining Bids

The estimate for the project was \$320,000.00 using a PVC liner or a comparable substitute. Three bids were received and two of the companies bid using another type of liner(cured-in-place).

SWERP, Inc. (cured-in-place lining)	\$299,596.00
Tri-State Grouting (cured-in-place lining)	\$433,028.00
Associates Plumbing, Inc. (PVC liner)	\$464,013.69

Research has shown that the cured-in-place lining can last up to 25 years whereas the PVC liner can last up to 50 years. The Associates Plumbing, Inc. bid was done by a small company that can only be bonded for up to \$250,000.00 and the bond cost included in their bid was \$92,000.00. Eng. Lipinski recommended that all bids be rejected and that the scope of work be reduced to get better bids.

R. Buchanan moved that all three bids be rejected and that James R. Holley & Associates re-advertise the work based on smaller scopes of work to get a better price.

E. Stoley seconded. The motion carried with all in favor. The bids must say PVC liner only.

Brian was asked to put a capital project plan together listing the phases and scope of work including cost estimates to do the needed sewer main replacement/relining work.

EXECUTIVE SESSION

An executive session was called at 10:21 p.m. to discuss current legal issues. The meeting was reconvened at 10:53 p.m.

SOLICITOR'S REPORT

Gymnastics of York, Inc. and York Traditions Bank

The land use appeal for 21 South Hill Street has been withdrawn.

PennDOT EDU Agreement

Assistant Counsel Sharp is in the process of discussing this issue with the Pennsylvania Department of General Services.

92 Skyview Drive

Mr. Vasold complied with the settlement agreement and the Sheriff's Sale has been cancelled but the judgment will remain on record to ensure his ongoing compliance. The Zoning Officer should follow up at this property to make sure that the clean-up is complete.

Public Lands, Buildings and Finance – Christopher M. Skoglund2013 Pension Minimum Municipal Obligation

C. Skoglund moved to approve and budget the amount of \$44,011.00 for the 2013 Pension Minimum Municipal Obligation.

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

E. Stoley moved to authorize C. Skoglund to sign the MMO worksheet.

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

Public Safety, Welfare and Personnel – Michael G. SharkeyHemler, ACS 2013 Contract

The proposed contract is the same as the 2011 and 2012 contracts.

C. Skoglund moved to approve the 2013 Hemler, ACS contract.

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

Secretary's Report – Cindy L. BosleyYork County Boroughs Association Meeting

The next meeting is on September 27.

SusquehannaBank Service Fees

A letter was received that effective September 17, the bank would be charging 40¢ per item over 200 items in a statement period. Based on the number of checks deposited and written a month, the fee would be around \$300.00. The Secretary was given permission to shop for a new bank if the bank does not waive the fees.

York Adams Tax Bureau – Michael G. Sharkey

The next meeting is September 25.

Subdivision, Land Development & Zoning – Eric W. Stoley

Planning Commission/Regional Planning Commission – Eric W. Stoley

UNFINISHED BUSINESS

NEW BUSINESS

Southern Police Commission

Pres. Ridgely reported that Citizen Representative, Anthony Myers, will be resigning from the Commission as of the end of the year.

COMMUNICATIONS

A thank you note was received from Nancy Williams for the donation the Borough sent to their church in Bob's memory.

ADJOURNMENT

The meeting was adjourned at 11:10 p.m.

Submitted by,
Cindy L. Bosley, Sec.