

MINUTES

SHREWSBURY BOROUGH COUNCIL

REGULAR MEETING

APRIL 8, 2009

PRESENT: Mayor James W. Reedy, Richard R. Buchanan, Thomas D. Metz, Michael W. Ridgely, Peter W. Schnabel, 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; Tony Myers, fire chief; Jeff Moore of Country Road Photography; Larry Hollenbush of Commonwealth Code Inspections; Barb Krebs of The York Daily Record; a Boy Scout from Troop 90 to observe the meeting

The regular meeting of the Borough Council convened at 7:33 p.m. in the Borough Municipal Building, 35 West Railroad Avenue, with President Schnabel presiding.

CITIZEN'S COMMENTS

Jeff Moore, of Country Road Photography, was present to distribute fliers for the upcoming Shrewsbury Art Walk to take place on Saturday, May 16.

C. Skoglund entered the meeting at 7:35 p.m.

APPROVAL OF MINUTES

E. Stoley moved to approve the minutes of the March meeting.

R. Buchanan 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 February.

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

BILL LIST

The bill list for March was presented. General account: check numbers 9437 thru 9481; Water account: check numbers 4156 thru 4171; Sewer account: check numbers 4009 thru 4022; Highway Aid: check numbers 785 and 786.

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

R. Buchanan seconded. The motion carried with all in favor.

SUBDIVISION AND LAND DEVELOPMENT BUSINESS**Southern Regional Police Department** – Richard R. Buchanan

Buck made mention of the following arrest data:

Shrewsbury 2007 summary arrests were 52 compared to 2008: 73;
Shrewsbury 2007 criminal arrests were 63 compared to 2008: 81;
New Freedom 2007 summary arrests were 54 compared to 2008: 50;
New Freedom 2007 criminal arrests were 34 compared to 2008: 53;
Glen Rock 2007 summary arrests were 96 compared to 2008: 65;
Glen Rock 2007 criminal arrests were 40 compared to 2008: 37.

There has been an increase in DUI arrests.

Codes Enforcement – E. Michael Lee**Dawson, 32 – 34 South Main Street**

Mike sent a letter to Dawson to remove the accumulated junk and vehicles and the progress has been slow. Mike asked for approval for Sol. Rehmeyer to send a letter. Approval was given.

Grim's Glass, 21 South Hill Street

Mike had a meeting this evening with Sol. Rehmeyer and the Secretary to discuss a possible use of one building by Mr. Miller for resuming his glass and plastics business and another use in the second building by another party. Most of the answers for Mr. Miller and the other party were no.

Pen-Mar Recycling, Onion Boulevard

A letter was sent to the recycling plant to remove the outside storage of materials, per the zoning hearing board decision. Progress is being made.

514 South Main Street Junk

Mike has not been able to contact the owner by phone and a letter will be sent to clean up the outside of his property.

Grove Property, 48 East Tolna Road

Mike sent a letter to the owner to clean up this property and there is progress being made.

YMCA Waiver for Pavilion

The YMCA has been given a pavilion as a gift that will be erected on a lot they received from DAK. Mike is recommending a waiver from filing a land development plan as it will have a minimal impact on storm water runoff. The pavilion is wooden with a metal roof and will have a concrete slab.

E. Stoley moved to grant a waiver from requiring a land development plan due to the minimum impact on storm water runoff.

R. Buchanan seconded. The motion carried with all in favor.

Larry Hollenbush from Commonwealth Code Inspections

Mike introduced Mr. Hollenbush as he will be doing our inspections from now on with Mike being a back-up inspector. Mr. Hollenbush was in construction for 30 years and has been working for Commonwealth Code Inspections for four years. He stated he tries to work with the people during the inspection process and explain why the Code is written that way.

Water & Sewer – Richard R. Buchanan

Taken later in the meeting.

Public Roads & Lighting – Christopher M. Skoglund

Street Sweeper

The sweeping began on April 6 and will continue at least until April 15 or until finished.

Plank Road

The stop bar on Plank Road and Main Street will be installed after the street sweeping is finished.

Mount Airy Road Delineators

The Committee will need to discuss whether the Borough wants to continue placing the delineators at the south exit of the Shrewsbury Square Shopping Center as they don't last long. We will use up the supply we have from PennDOT.

2009 Road Bids

The bids will be reviewed at the May meeting.

Public Lands & Buildings and Finance – Michael W. Ridgely

New Lawn Mower

The old mower could be fixed for \$250.00. B. Sweitzer obtained prices for a replacement and he is recommending a Ferris mower at a cost of \$1,019.00.

M. Ridgely moved to approve the purchase of the Ferris mower at a cost not to exceed \$1,019.00 to be split between all three accounts.

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

Rose Ambulance Underbilling

The Borough has been notified by New Freedom Borough that we were underbilled for health insurance, workers compensation and disability for the 6 – 7 paid emergency responders. We were underbilled for 2006, 2007 and 2008 but

they are only going back to 2007 and 2008. The amount due is \$5,695.65 for 2007 and \$10,752.16 for 2008 for a total of \$16,447.81. Since our budget is tight this year, the Secretary was asked to contact New Freedom Borough to see if we can make the payments over four quarters.

ENGINEER'S REPORT

Windy Hill Road Sewer Pipe Adjustment

PennDOT has contacted the Borough about a conflict between our gravity and force main sewer lines and their bridge replacement project. The bridge will be replaced in 2010 and our pipe work must be completed before their work. The approximate cost will be \$50,000.00 with hopeful reimbursement by the State for 50%. PennDOT will pay for the materials.

Mid-Atlantic Biosolids Association

Eng. Holley stated the Borough could consider contributing to the MABA in the fight to continue to allow the spreading of sludge on farmlands.

T. Metz asked if the donation was necessary as the Attorney General's office sent a letter to the Township that their ordinance was unconstitutional and it can't supersede State law.

SOLICITOR'S REPORT

Identity Theft Policy

The Federal Trade Commission issued a mandate requiring all creditors to develop and implement a written identity theft prevention program. Sol. Rehmeyer's office prepared a resolution and policy.

E. Stoley moved to approve Resolution #2009-3 to adopt the identity theft policy.
R. Buchanan seconded. Roll call vote:

Buchanan	yes, in favor
Metz	yes, in favor
Ridgely	yes, in favor

Skoglund	yes, in favor
Stoley	yes, in favor
Schnabel	yes, in favor

Policy on Keeping Meeting Tapes and Notes, Council and Planning Commission

M. Ridgely moved to approve Resolution #2009-2, changing the word prepared to approved in the fourth paragraph, to adopt the policy for the secretaries to destroy the meeting tapes and written notes after those meeting minutes are approved.

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

E-mails

Sol. Rehmeyer will report back with definitive answers on e-mail questions with regard to the Right-to-Know Law.

FEMA Flood Maps/Ordinance

FEMA has notified the Borough that it recommends we adopt an ordinance which will adopt the flood maps so our residents can purchase flood insurance if they desire.

Sol. Rehmeyer was asked to prepare the ordinance to adopt the maps in the best interest of our citizens.

Public Safety, Welfare and Personnel

Sidewalk Block Grant

The draft letter to be sent to the residents involved in Phase I was reviewed.

E. Stoley moved to approve the letter with two changes.

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

Emergency Conditions Policy Change Regarding EMS

Keith Russell, of the Rose Ambulance, had submitted the policy change that states, "During extreme inclement weather conditions, and or when the 911 Center is operating under Emergency Conditions, EMS will not be initially dispatched on

unknown injury accident calls for service." The police and fire response would remain the same for unknown injury accidents and EMS would then be called to the scene if it was determined they were needed.

E. Stoley moved to give Pres. Schnabel permission to sign acknowledging the policy change.

R. Buchanan seconded. The motion carried with all in favor.

Secretary's Report – Cindy L. Bosley

Appreciation Dinner

The dinner is scheduled for Friday, November 20.

York Area Tax Bureau – Thomas D. Metz

T. Metz stated there is a meeting next Tuesday night.

Subdivision, Land Development and Zoning – Eric W. Stoley

Planning Commission/Regional Planning Commission – Eric W. Stoley

Regional Comprehensive Plan

Copies were distributed to the Planning Commission for review at its April 27 meeting. Council was asked to submit comments.

UNFINISHED BUSINESS

Boy Scouts

As a follow-up from last month, M. Ridgely asked if anyone attended a Monday night scout meeting to describe the duties of an elected official. The Secretary will provide a phone number so a leader can be contacted.

NEW BUSINESS

EMA Radios

Tony Myers stated the fire department will pay to upgrade the EMA radios.

COMMUNICATIONS

Public Officials Meeting

The York County Office of Emergency Management will hold a meeting on April 30 with a program by the South Central Task Force.

EXECUTIVE SESSION

An executive session was called at 8:39 p.m. to discuss potential litigation. The meeting was reconvened at 9:38 p.m.

Sol. Rehmeyer made the following statement: The Borough received a demand for sewer capacity which came as a threat of litigation against the Borough to attempt to achieve it by way of the Court system. Sol. Rehmeyer's preliminary review of the request is that it does not accurately recognize the applicable agreements and law in this instance but it appears to be based upon erroneous information that the Borough has excess capacity that has not already been allocated or reserved. In the past, the Borough was sued with regard to sewer capacity and the Borough's engineer did studies to confirm that there was not extra capacity. Sol. Rehmeyer has been working with the Borough engineer to bring those numbers up to date and to make them as accurate as possible based upon developments that have occurred in the past ten years with regard to actual land development plans that have been filed. The updated report should be finalized by next month and will be presented for review and approval.

Water & Sewer – Richard R. Buchanan

Groundwater Rules

Under new DEP ground water requirements, each ground water entry point must maintain a chlorine residual of a minimum of .4 mg/l with 24 hour per day chlorine monitoring equipment. We must also satisfy 4-log virus treatment. The cost to

upgrade to meet the requirements will be between \$50,000.00 – 200,000.00. B. Sweitzer will have a better figure by the 2010 budget discussions.

ADJOURNMENT

C. Skoglund moved to adjourn the meeting at 9:47 p.m.

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

Submitted by,
Cindy L. Bosley, Secretary