

## MINUTES

## SHREWSBURY BOROUGH COUNCIL

REGULAR MEETING

APRIL 13, 2011

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: Jeffrey L. Rehmeyer, II, Esq.; James R. Holley, P.E.; Brian L. Sweitzer, Supt. of Public Works; E. Michael Lee of Codes Enforcement; Ethan Poe; Chief James Boddington; Melinda Albright; Nate Kirschman; Phil Robinson;

The regular meeting of the Borough Council convened at 7:32 p.m. in the Borough Municipal Building, 35 West Railroad Avenue, with President Ridgely presiding.

**CITIZEN'S COMMENTS**

Melinda Albright spoke on behalf of Green Hippo Charities and the event she would like to have at the playground to raise money for Habitat for Humanity. Ms. Albright stated she called the field scheduler who agreed to reschedule the ball games for that day. Their security would be recent graduate of a criminal justice program, not all would be Act 235 certified and some are authorized to carry weapons(squirt bottles). If a security problem would occur, the person would be escorted to the parking lot and the police called. She stated she spoke with Chief Boddington and he is aware of the event, who offered to have an officer cruise through once or twice. Chief Boddington was also concerned about the proposed security and Act 235 certifications. Ms. Albright said she is working on their non-profit status and don't have their 501(3)(c) yet but Habitat for Humanity agreed to let them work under their status. She stated Green Hippo Charities is based in Georgia (an internet search did not produce this charity, only Ms. Albright's Green Hippo Charities' Facebook page). She started the process for a PA enterprise registration. The charge/donation for admission for the charity event is \$5.00 or canned goods. Nine bands are scheduled to perform from 10:30 a.m. to 5:00 p.m. Advertisement for the event is on Facebook with posted notices closer to the event. Ms. Albright presented a quote for special event insurance. She estimates 200 people could attend.

Because this is the first event of this kind being requested with no formal application procedure in place, Council felt the event should be postponed until formalities are in place. Council felt it is a good event, but there are too many unanswered questions. Since Green Hippo Charities is not a recognized non-profit, the hosting non-profit should apply (Habitat for Humanity) and be the responsible party. The enclosed pavilion is rented for this day and those individuals will not have the full use of the outside facilities so this event should be scheduled for a day when the enclosed pavilion is not rented. Sol. Rehmeyer was asked to draft a model application to be followed for these types of events that would address security, clean-up, parking, liability, legal entity, insurance, hours, police costs, damages, etc. Council wants to also see evidence of charity recognition because, if challenged and since it's a paid event, the Borough could back up the approval for use of the park. Ms. Albright was asked to remove the event from the Facebook page.

Nate Kirschman, radio club, stated he is getting prices to have two radio cabinets made for the new scout house similar to the ones in the EOC.

### **APPROVAL OF MINUTES**

The minutes of the March 9 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 January and February.

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

### **BILL LIST**

The bill list for March was presented: General account: check numbers 10531 thru 10574 ; Water account: check numbers 4538 thru 4563; Sewer account: check numbers 4304 thru 4316; Highway Aid: none.

C. Skoglund moved to approve the March bill list.

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

## **PAYROLL REGISTER**

C. Skoglund moved to approve the March 7 and 21 payroll registers.

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

## **SUBDIVISION AND LAND DEVELOPMENT BUSINESS**

### **Heathcote Glen II**

Phil stated he was asked to come to the meeting by the staff review folks because of the requested waivers. E. Stoley stated the Subdivision and Land Development Committee, who are also members of the Roads Committee, met prior to the meeting. The Committee is concerned with the costs of owning the entire street, some of which is in Shrewsbury Township. It was stated the Township would ask the Borough to inspect the Township portion of the road as it was being built and then give the Borough the liquid fuels money each year. E. Stoley stated the liquid fuels monies will not be enough to pay to have the road repaved in the future. Requested waivers are: 1) install two concrete monuments and keep the existing monumentation; 2) from the requirement of sidewalks; 3) from section 606 to install driveway lights instead of street lights.

Phil was told we need to hear from the Township what agreement they would propose for the portion of the road that's in the Township. Council cannot approve a waiver for the cul-de-sac street length (Township) greater than 500 feet.

E. Stoley moved to advise the staff review personnel that Council is willing to waive the requirement for the full monuments and the sidewalk requirement, but it is unwilling to have driveway lights instead of street lights. There is already a light approved for the intersection of Ascot Drive under the recently approved plan.

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

### **Southern Regional Police Report** – Chief James Boddington

Chief Boddington described the new format of tracking incidents and events. Previously, almost everything required a detailed incident report. Now, certain events are just noted which allows for 15 to 20% more patrol time and the officers are more inclined to stop to help someone since they don't have to fill out a full report. The police are automatically advised of medical calls and they try to respond if they are able. Previously, they had to log in and do an incident report on all calls. The Department played an important role in the serial arsonists' arrests and the day after the vandalism at the playground, the police were called for a

break-in at a shed close to the playground. The vandals were caught and it's believed they are the same individuals who vandalized the playground.

M. Ridgley stated that delegates voted at the PSAB conference to support the use of radar by local police departments.

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

#### **Stewartstown Railroad Train Station**

Mike has heard nothing back from the Railroad as to the roof repair at the train station.

C. Munch moved to authorize Sol. Rehmyer to send a letter to Stewartstown Railroad.

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

#### **Alternate Zoning Officer/BCO**

Mike introduced Ethan Poe who has taken classes to become a certified BCO. Mike asked that Ethan be appointed alternate zoning officer and BCO to take over when Mike retires maybe at the end of the year. Mike will stay on for at least a year to support Ethan.

M. Sharkey moved to appoint Ethan Poe as the Borough's alternate zoning officer/BCO.

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

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

#### **SOC Tests**

SOC results were presented. There were no detects in any of the eight entry points. Batch sampling is a possibility for the second quarter.

#### **27 Plank Road Oil Tank**

The property owner has an oil tank that was abandoned recently when the connection was made to natural gas. The tank is in zone three of the Wellhead Protection area for the Woodlyn Well.

R. Buchanan moved to not remove this tank.  
 J. Traband seconded. The motion carried with all in favor.

### SRBC Permitting

The Susquehanna River Basin Commission applications for the Blouse and Smith Wells have been submitted. We are in compliance since the applications have been submitted and no pump tests will need to be done until after review of the applications.

### Agreement with York Water Company for Sewer Customers

An agreement was presented whereby the York Water Company would shut off water to residents who are behind in their sewer bill. Sol. Rehmeyer was asked to review and provide input.

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

#### 2011 Road Work Bids

The following bids were received for repaving Shetland Drive and Foxtail Court:

Fitz & Smith	\$95,271.75
Shiloh Paving & Excav.	\$83,462.75
Kinsley Construction	\$86,197.50
Emory J. Peters Excav.	\$87,871.25

E. Stoley moved to approve the bid amount of \$83,462.75 from Shiloh Paving to pave Shetland Drive and Foxtail Court.

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

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

#### Playground Vandalism

The playground was vandalized on Tuesday, April 5, in the afternoon. The pavilion garage door was kicked in and the generator building vent was destroyed. The scoreboard was destroyed. The garage door was replaced at a cost of \$994.00.

The damage was submitted to the insurance company. The score board will not be replaced since it doesn't get used.

### Amendment of Scout House Lease

M. Sharkey presented the amended lease to include the new pole building and the former bar-b-que pit that was enclosed.

R. Buchanan moved to approve the signing of the amended lease.

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

### Request to Use Parking Lot

A request to park a municipal and a personal vehicle in the municipal building parking lot was received. The individual resides in Maryland and would switch vehicles for his shifts. This is a temporary situation as the individual must move closer to his work by the end of the year. It was mentioned this could set a precedent for other similar requests. The approval was given as a courtesy to the other municipality.

C. Skoglund moved to approve the request.

R. Buchanan seconded. The motion carried with one dissenting vote, E. Stoley, as he felt it could set a precedent.

### Shrewsbury Vol. Fire Company

A permit needs to be issued for fireworks on July 2. Nick Caruccio presented a certificate of insurance to the Borough naming it as an additional insured. Sol. Rehmyer was asked to prepare a permit form.

### Audit Report

The Committee will meet with the auditor before the May 11 meeting.

## **ENGINEER'S REPORT**

### Control Systems 21 Invoice

Eng. Holley recommended the invoice of Control Systems 21 for the water monitoring equipment at eight wells in the amount of \$23,604.46 be paid.

R. Buchanan moved to pay Control Systems 21 the invoiced amount of \$23,604.46.

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

### **EXECUTIVE SESSION**

An executive session was called at 10:07 p.m. to discuss current litigation. The meeting was reconvened at 10:42 p.m.

### **SOLICITOR'S REPORT**

#### **Gymnastics of York and York Traditions Bank**

The engineer is finishing a survey and upon completion will begin work on concept drawings for parking and traffic circulation.

#### **McCleary Property Easement, 58 Brook Meadow Circle**

Sol. Rehmeyer prepared a reciprocal cross easement to allow the property owner access to the property using the driveway located on Borough property and allowing the Borough to access the Meadow Well using a portion of 58 Brook Meadow Circle's property near the well.

#### **Amendment to Buffer Easement Agreement for Shrewsbury Center LLC**

Kimco has not signed the amendment to the buffer easement as yet.

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

#### **York County Advanced Technical Rescue Team**

Fire Chief Myers asked that the change authorization be signed whereby York County 911 would automatically dispatch the York County Advanced Technical Rescue Team to certain low-frequency, high-risk events. The events would include trench, swift-water, confined-space, ice, and other types of rescues in which the team specializes.

E. Stoley moved to authorize the signing of the change request.

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

**Secretary's Report** – Cindy L. Bosley**Local Government Advisory Committee Meeting**

The next meeting will be on May 25 in York with a speaker from DEP.

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

Under Act 32, collection efforts will be spearheaded at a county level.

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

The Committee reviewed the plan this evening and there is a concern with the detention pond not being associated with a home owner. The pond is also in the Township.

**Appeal of 14 North Main Street**

The Commonwealth Court upheld the decision of the Borough's Zoning Hearing Board.

**Planning Commission/Regional Planning Commission** – Eric W. Stoley**UNFINISHED BUSINESS****County-wide Radio System Offer**

The County is offering use of their digital system to municipalities for communication. Perhaps one radio will be purchased in the future.

**PSAB Conference**

M. Ridgely and Mayor Schnabel stated the conference was worthwhile and they thanked Council for sending them this year.

**NEW BUSINESS**

## **COMMUNICATIONS**

### **Census Results**

The 2010 census results were received.

## **ADJOURNMENT**

E. Stoley moved to adjourn the meeting at 11:02 p.m.

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

Submitted by,  
Cindy L. Bosley, Sec.