

## MINUTES

## SHREWSBURY BOROUGH COUNCIL

REGULAR MEETING

AUGUST 8, 2007

PRESENT: Mayor James W. Reedy, Michael R. Caum, 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; Keith Wills; Natalie Bento; John Morrell; Sharon Brown; others from the Brookview Meadows community

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

**CITIZEN'S COMMENTS**

Keith Wills, of the Valley View Grove development, thanked Council for setting up the meeting with Cornerstone regarding the detention pond.

Natalie Bento, of the Valley View Grove development, said the majority of the homeowners with the retaining wall rejected Cornerstone Development's offer of the steps or money.

She was told to contact Cornerstone Development and tell them what the homeowners want as a counter-offer.

John Morrell of 26 North Main Street was present as he was concerned properties in the Village zone are allowed to be paved at a greater extent than 60% due to the fact that crushed stone was already in place.

After discussion, it was determined that crushed stone should be considered an impervious material and Sol. Rehmeyer was asked to amend the Zoning Ordinance for clarification and that the crushed stone be limited to the 60% impervious surface coverage requirement.

Sharon Brown of 33 Northbrook Lane and spokesperson for the Brookview Community was present as a result of the emptying of the detention pond behind her house on July 24. Brian Sweitzer stated Kinsley Management, who owns the detention pond, was contacted because the water was not draining. The outlet was clogged with plywood and other debris and as a result, a recreation pond was formed. A representative from Kinsley cleared the outlet and the majority of the water drained out into Deer Creek. There were fish in the pond. The residents are upset not only about the emptying of the pond but about the trash that is left. The residents called DEP and a response was sent to DEP from the Borough.

The residents were told that this is private property and that it was designed to be a detention pond, not a recreational pond. They were told they could try to purchase the property and go through the channels with DEP and the Susquehanna River Basin Commission for a recreational pond, but it would be very unlikely that would be approved since Deer Creek is designated as a cold water trout stream. The residents also violated §311.4 of the Zoning Ordinance. The residents were told that Kinsley originally wanted to have a wet pond but DEP rejected the proposal.

Kinsley will be contacted and asked to clean up the debris by August 17 and to begin regular maintenance of the pond.

### **APPROVAL OF MINUTES**

C. Skoglund moved to approve the minutes of the July 11 meeting with an amendment to his motion regarding approval of the placement of a banner by the YMCA. The intent was approval only if Met Ed gives their approval to the YMCA.

E. Stoley seconded. The motion carried with all in favor with T. Metz abstaining as he was not present at the July meeting.

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

M. Ridgely moved to approve the expenditures and report of accounts for June.

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

### **BILL LIST**

The bill list was presented for July: General account: check numbers 8479 thru 8518; Sewer account: check numbers 3761 thru 3772; Highway Aid: no checks. The Water account sheet did not print for the packet and will be approved next month.

M. Ridgely moved to approve the bill list for July for General, Sewer and Highway Aid.

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

## **SUBDIVISION AND LAND DEVELOPMENT BUSINESS**

### **Southern Regional Police** – Mayor James W. Reedy

Mayor Reedy stated the officers agreed with the arbitrator so the contract negotiations are settled.

## **REPORTS**

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

#### Laurence Wirtz, Lexington Drive

Mike stated he has a meeting scheduled for tomorrow morning with Laurence to look at what he has done to prove the construction was done according to Code.

#### Doug Miller Property, 21 Hill Street

Mike said Mr. Miller has contacted him regarding transforming the property into multi-family units which is allowed under the Zoning Ordinance but the building must be brought up to Code.

#### Portable Signs

Mike stated the portable and temporary signs are becoming a big problem and are being placed by businesses from out of the area. He suggested the sign ordinance be separate from the Zoning Ordinance. There is the issue of having to give 30 days to remove the signs.

## Water & Sewer

### New China Grease Violation

The sewer line behind the Market Square Shopping Center is clogged with grease again. Last year, the Shopping Center owner was fined \$750.00 and billed \$5,270.00 for grease clean up costs. New China did install larger grease traps which did not alleviate the problem and the Shopping Center will receive a third fine this year of \$1,000.00 plus a bill for \$1,402.50 for clean up costs. The sewer lateral for New China is filled with grease and Nicolas Café's lateral has some grease.

The ordinance has to be amended to say that on the 3<sup>rd</sup> violation, a professional grease removal company needs to be retained to provide receipts and dates of service.

### Water Service Project

The water main must be extended to serve 29 Kratz Road at a cost of approximately \$3,500.00 not including labor. It is currently located on 23 Kratz Road's property. Rather than moving the hydrant, a blow-off will be placed at the end of 29 Kratz Road's property.

M. Ridgely moved to approve the extension of the water main up to a cost of \$4,000.00 with a blow-off being installed at the end of the line.

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

### Lot 6 Caprice Court Shrewsbury Township

The new owner is proposing a hotel for this property and only has five sewer EDUs through the Borough. They were told to contact Shrewsbury Township for additional EDUs.

E. Stoley moved that no EDUs will be sold to this property as we do not sell EDUs outside the Borough limits.

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

It was discussed that the Township may want to advise the owner that PennDOT had proposed to use this area to widen the ramps to make a loop at Exit 4.

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

Sight Triangle at 311 West Forrest Avenue

Mr. Bubb has not responded to our request to meet at the intersection to see how far the snow plow truck extends into the intersection and to see how far the white line needs to be placed into the intersection.

Truck Restriction

Ordinance #2007-2 will prohibit the operation of class four (4) vehicles and or vehicles with a registered gross weight over 9001 pounds on Brook Meadow Circle beginning at Northbrook Lane; Clear Run Drive beginning at Plank Road; East Clearview Drive beginning at North Main Street and Cardinal Drive beginning at Mt. Airy Road.

C. Skoglund moved to adopt Ordinance #2007-2.

M. Ridgely seconded. Roll call vote:

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

New Utility Truck

The price for a new utility truck through the State contract is approximately \$32,000.00. We had budgeted \$30,000.00.

Brian was asked to price out some new vehicles.

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

Budget Meetings

The following dates have been set for discussion on the 2008 budget:

October 3, October 24, November 7, November 28, December 5 and December 19 if needed. Meetings begin at 7:00 p.m.

M. Ridgely would like the budget input by September 12.

### Burn Ban

Due to the drought watch and the dry weather, Fire Chief Tony Myers recommended a burn ban be enacted.

M. Caum moved to enact a burn ban until further notice which does not include the use of fire pits.

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

### Vandalism Reward

Shrewsbury Township sent a letter that due to defacing of road signs in the Township that they are willing to post \$250.00 as part of a reward leading to the apprehension and conviction of persons responsible which reward would be offered on an ongoing basis. Letters were sent to Glen Rock Borough, New Freedom Borough, Railroad Borough and the Southern York School District. The Borough pays to be covered by the Southern Regional Police Department so no reward money will be sent to the Township.

### Hanover Chamber of Commerce

Membership in the Hanover Chamber of Commerce will enroll the Borough in a pool and will be eligible for a dividend, which could be as high as \$5,000.00.

E. Stoley moved that the Borough join the Hanover Chamber of Commerce.

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

## **ENGINEER'S REPORT**

### True Value Extra EDU

True Value was given notice they have been exceeding the one sewer EDU originally purchased and the store was also questioning their consumption.

The Secretary advised they paid for the second EDU on Monday and that Shipley paid for four more EDUs for the Tom's station. These businesses were existing Borough customers and the use did not change and, therefore, EDUs were sold from the Borough's allotment. The Crown station was billed for three EDUs.

## **SOLICITOR'S REPORT**

### I-83 Rest Stop Issue

Attorney Sharp is still reviewing Sol. Rehmeyer's letter regarding the request for changes.

### Amendment to Zoning Ordinance Regarding Buffers

A copy of the proposed ordinance was presented. Clarification of the impervious surface coverage will be amended to include crushed stone and that any new improvements must abide by the 60% rule. This Amendment will be sent to the Borough's Planning Commission for comment.

### Deer Creek Buffer Zone

Sol. Rehmeyer's office prepared a Memorandum of Understanding between the Borough and the individual property owners which sets forth conditions on placing sheds or fences in the buffer area.

### Valley View Grove

An on-site meeting was held on July 17 and Engineer Holley is working on affecting repair of the storm water management basin. Cornerstone is working with the property owners regarding the retaining wall.

### Amendment to Zoning Ordinance Regarding Electronic Signs

A draft amendment was presented. After review, it was decided to remove Section 2 (e) that required, "Such displays are to be located at least fifty (50) feet away from any other on-premise identification sign."

A copy of the proposed ordinance amendment will be sent to Ken Zampier for his comments. It will also be sent to the Planning Commission.

**EXECUTIVE SESSION**

An executive session was called at 9:53 p.m. to discuss ongoing and potential litigation. The meeting was reconvened at 10:08 p.m.

**Public Safety, Welfare and Personnel** – Michael R. Caum**Personnel Budget Figure**

M. Caum stated M. Ridgely can use the usual built-in percentage for the salary information.

**Personnel Meetings**

Personnel meetings are scheduled for Tuesday, September 4 at 7:00 p.m. starting with B. Sweitzer and C. Bosley to review the amendments to the handbook.

**Secretary's Report** – Cindy L. Bosley**Banner – Met Ed Poles**

Since Met Ed rejected any agreement for placement of a banner to be tied between two Med Ed poles on South Main Street, the fire company will not be able to place their annual firemen's carnival banner in that location. Met Ed is concerned about potential liability due to something hitting the banner and causing the poles to come down with live wires, etc.

**York Adams Tax Bureau** – Thomas D. Metz**Subdivision, Land Development and Zoning** – Eric W. Stoley**Planning Commission****UNFINISHED BUSINESS****NEW BUSINESS****OTHER BUSINESS**

**COMMUNICATIONS**

Southern Community Services sent a letter asking for emergency donations. A response will be sent that we will stress individual donations and will discuss a 2008 donation as part of the budget process.

**ADJOURNMENT**

E. Stoley moved to adjourn the meeting at 10:22 p.m.  
C. Skoglind seconded. The motion carried with all in favor.

Submitted by,

Cindy L. Bosley, Secretary