

## MINUTES

## SHREWSBURY BOROUGH COUNCIL

REGULAR MEETING

FEBRUARY 11, 2004

PRESENT: Mayor James W. Reedy, Richard R. Buchanan, Michael R. Caum, Frederick C. Noble, 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; Tony Paglia of Codes Enforcement; Barb Krebs of The York Dispatch; Terri Reuter of The York Daily Record; Phil Robinson; Mike Cadden; Gary LaBarre; Mrs. Woodrow Bowman

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**

Gary LaBarre stated the laptop computer that was donated needs to be set up for the EOC and connected to the internet.

Mrs. Woodrow Bowman was present about the enforcement notice that was received from the zoning officer for 35 S. Main St. She was referred back to Codes Enforcement.

Phil Robinson was present about a lot on W. Clearview Dr. that does not have road frontage and he questioned the need for a Borough-approved street leading back to the lot. Phil was told that this lot would have to have the Borough-approved street plus water and sewer mains extended back to this lot.

Mike Cadden, first assistant with Shrewsbury Volunteer Fire Company, stated the volume of fire calls is a little below last year at this time. The heavy rescue truck is getting the finishing touches and should be in operation soon. Four members of Council attended the building committee's meeting and would like the meeting schedule for the rest of the year.

## **APPROVAL OF MINUTES**

E. Stoley moved to approve the minutes of the January 5 and 14 meetings.  
M. Ridgely and F. Noble seconded. The motion carried with all in favor.

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

M. Ridgely stated the bank did not bill us for the yearly principal payment for the sewer bond issue and it was billed in January so there will be two principal payments showing in the sewer budget for this year.

M. Ridgely moved to approve the expenditures and report of accounts for December, 2003.  
R. Buchanan seconded. The motion carried with all in favor.

## **BILLS**

- Kimberly M. Dettinger bookkeeping services 1/18 – 2/8 30.5 hours \$610.00
- Velda Nickell bookkeeping training year-end \$162.50
- James R. Holley & Assoc. emergency sewer repair \$189.86; construction observation Deer Creek subdivision \$286.00; sanitary sewer repairs 2003 \$704.00; Forest Lakes pump station \$223.58; general engineering \$829.63; Chapter 94 report \$81.96
- CGA Law Firm general for 2004 \$6,876.50
- Kimberly M. Dettinger bookkeeping services 12/8 – 1/11 20 hours \$420.00
- James M. Holley & Assoc. billing period 11/27 – 12/31 emergency manhole repair \$1,332.19; sanitary sewer repairs \$5,735.30; general sewer work \$365.48; general engineering \$879.49; pipe deposit \$181.00
- Springfield Contractors, Inc. for sewer interceptor repairs \$30,686.50
- Codes Enforcement 1/5 – 1/31 \$2,558.83

E. Stoley moved to approve payment of the above bills.  
R. Buchanan seconded. The motion carried with all in favor.

## **SUBDIVISION AND LAND DEVELOPMENT BUSINESS**

### **Revised Fee Schedule and Building Permit Schedule**

Various fees were increased. The subdivision committee will be reviewing the open burning ordinance to see if open burning should be banned or just amended to limit the time the permit

is good for and other restrictions. The fee was increased from \$3.00 to \$23.00 with \$20.00 going to the fire company. An item will be placed in the newsletter that Council is thinking about banning open burning and to ask for comments.

Sol. Rehmeier will put some criteria together.

E. Stoley moved to adopt Resolution #2004-2 to amend the Fee Schedule and Building Permit Schedule.

R. Buchanan seconded.

E. Stoley moved to amend the motion to increase the open burning fee to \$23.00 and that \$20.00 be forwarded to the fire company.

R. Buchanan seconded the amendment. The motions carried with all in favor.

### Building Permit and Inspection Fee Costs Resolution

E. Stoley moved to adopt Resolution #2004-1 to amend the building and inspection fee costs.

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

### Letter of Credit for Deer Creek Development

Eng. Holley recommends the letter of credit be reduced by an amount of \$17,190.00.

E. Stoley moved to reduce the Deer Creek Development Letter of Credit by an amount of \$17,190.00.

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

## **REPORTS**

### Zoning, Building, Permit Officer

#### 214 S. Main St.

Tony Paglia, of Codes Enforcement, stated the property was posted with a stop work order and Mr. Marvel's attorney contacted Sol. Rehmeier. If no zoning appeal is filed, we will proceed to the District Magistrate for penalties.

### Signs at the New Shopping Center

Most of the illegal signs are gone and the new owner of the shopping center is requesting additional time for the temporary 'for lease' sign. The new sub shop requested permission to have a 10' x 20' blow up cup to be placed on the roof. Council took the position the cup sign is against the ordinance and it shouldn't be allowed, but the business owner should be thanked for approaching the Borough to ask for approval. Tony was asked to have the owner of the shopping center place the remaining shields on the lights.

#### Blowing Trash rear of 233/241 N. Main St.

Trash had blown under the fence at the new karate business at 241 N. Main St. where a new fence was installed. Grading will be done to prevent debris from blowing under the fence and the tire business is also installing a new fence. There will be a gate in each fence to allow for maintenance on the other side. Tony had the developer pick up the debris on the other side of the fence.

#### Leaking Barrels in rear of 502 S. Main St.

An investigation on a complaint about leaking storage barrels behind 502 S. Main St. showed no leakage and the owner has agreed to remove the barrels.

#### Deer Creek Development Noise Complaints

Codes Enforcement received complaints that the contractors are starting too early. Tony spoke with the contractor who agreed to not start before 7:00 a.m.

#### Advertising Sign Corner of E. Forrest Ave. and N. Highland Ave.

Tony was asked to measure this sign to make sure it's not violating the sight distance. Motorists pulling out of the alley onto Forrest Ave. have trouble seeing over the sign.

### **OTHER REPORTS**

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

##### Sanitary Sewer Repair Bids

The work in Southern Farms was bid open cut method and by bursting method and the following bids were received:

Traditional open cut(one bid): Kinsley Construction \$275,727.17  
 Bursting method(two bids): Kinsley Construction \$240,970.97  
 Propipe \$306,640.00

E. Stoley moved to approve the bid of Kinsley Construction for the bursting method at a price of \$240,970.97 on the recommendation of Eng. Holley.  
 M. Ridgely seconded. The motion carried with all in favor.

### New Wells

A joint meeting with DEP and the Susquehanna River Basin Commission will be held in Harrisburg on February 18 at 9:00 a.m. DEP still wants to only approve 72,000 gallons per day for the new wells instead of the 105,000 gallons per day.

### Air Compressor Bids

Three bids were received in response to the bid request for an air compressor:

Modern Equipment Sales & Rental Co.	\$12,960.00
Ingersoll-Rand	\$ 9,896.00
Highway Equipment & Supply Co.	\$11,009.00

R. Buchanan moved to accept the bid of Ingersoll-Rand at a price of \$9,896.00  
 M. Caum seconded. The motion carried with all in favor.

### York Water Customers – Shrewsbury and Hopewell Townships

There are 192 sewer customers who are served by the York Water Company. For the fourth quarter billing, the Public Works Department received computer-generated readings from the York Water Company at a charge of \$90.00 per quarter. The main problem is many of their readings are estimates because the meters do not work through their phone line system and they don't repair their meters immediately. In addition, some of their readings are mailed in by the customers if the meters do not work. We can't receive the readings until the 11<sup>th</sup> day of the month, too late to send in to our billing company. Our auto-read gun is not compatible with their meters. We will also confirm the York Water Company would not allow the Borough to install our own meters because it would decrease water pressure.

The Borough is entitled to accurate readings. Sol. Rehmeyer will check the language in the ordinance and B. Sweitzer will send a letter to the York Water Company to see if we can install our own meters. If not, Council will consider putting these customers on a flat rate.

### Wellhead Protection Committee

The next meeting will be on February 25 at 9:00 a.m. to review the final plan before submission to DEP.

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

#### Two Lanes Eastbound on W. Forrest Ave.

In order to have a left turn lane, parking on the South side of W. Forrest Ave. up to S. Sunset Dr. would be lost. The fire company volunteers need the on-street parking for quick response for fire calls.

#### 2004 Street Work Tour

The tour will be held in March.

#### Essex Circle Dr. Sinking Problem

The sewer trench is sinking again after being repaired about five years ago.

#### Hidden Driveway Sign – 39 N. Main St. Rear

The business owner is requesting a hidden driveway sign be placed in the rear of their property along N. Highland Dr. It appears the sight clearance is not met because of shrubbery and trees and rather than set a precedent with signs of this nature, clearing the sight angle will be investigated.

#### Snow Emergency Ordinance

Our ordinance calls for temporary signs to be placed in order to cite and remove vehicles parked on the street in the event of a snow emergency. Sol. Rehmeyer was asked to report back with the requirements for signs.

### New Shopping Center Proper Signage for No Left Turns

Eng. Holley was asked to look at the approved plan to see if the property signage is erected so the police can cite motorists from going straight and making left turns at the intersection with Cardinal Dr.

### Parking Problem on N. Sunset Dr. and N. Highland Dr.

A traffic study will be requested to restrict parking on N. Sunset Dr. and N. Highland Dr.

## **Public Lands, Buildings and Finance** – Michael W. Ridgley

### Increase in Bookkeeping Fee

Kimberly Dettinger gave notice she is increasing her hourly rate from \$20.00 to \$25.00 for bookkeeping work effective in March.

M. Ridgely moved to approve the increase provided Kimberly's skill level is at the full job specification and that she will no longer need Velda for training.

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

### New Electrical Service for Christmas Tree

The new electrical service would cost about \$1,500 and would include digging and installing the service from the Public Works garage to the tree. This work will be done if and when needed.

### Scout House Repairs

The Public Works Department is replacing the copper pipes but the other work that needs to be done should be submitted for the 2005 budget.

## **ENGINEER'S REPORT**

### Exit 4 Project

This project has been moved to number 2 on the priority list and Hopewell Township Manager, Pat Schaub, is the representative for Region 1.

### Change in Water and Sewer Tapping Fee Calculations

Under the new Act, all water and sewer tapping fees will have to be recalculated by June, 2005, based on population. The Act only changes the way the fee is calculated, not capacity.

### Deer Creek Sewage Treatment Plant

There is a possibility that a private sewage treatment plant will be built in the Tolna area.

## **SOLICITOR'S REPORT**

### A.Grim's Glass & Plastic

This matter has been appealed to the Commonwealth Court.

### Tax Collector Resignation

A memorandum was attached to the report outlining the procedure for filling the position and compensation.

### Refinancing of the 1998 Sewer Bond Series

New Freedom Borough's solicitor sent a letter that the Borough is interested in refinancing the 1998 sewer bond issue. Sol. Rehmeier will respond that we are not opposed and that we need more detail.

### Zoning Regulation of Hot Tubs

Most municipalities do not attempt to regulate spas or hot tubs that they need to be secure when not in use.

This matter will be dropped.

### Uniform Construction Code

Sol. Rehmeier will prepare the ordinance for adoption in a few months.

### AAA Second Sign

A letter was sent asking that the sign be removed and AAA's attorney responded they will not take the sign down and as their argument a vested right to the sign permit has accrued to AAA by its request of the permit and the issuance by the former zoning officer. There were two applications for signs, the first was for two signs and the second was for a sign in the front only. Sol. Rehmeyer was given permission to respond that our zoning officer will issue an enforcement notice for violation of §301.1 (c) of the zoning ordinance if the sign in the rear is not taken down by a certain date.

### Definition of "Family" in Zoning Ordinance

The memorandum attached to the report excludes group homes, however, they could be considered in certain zones under a special exception.

### Shrewsbury Commerce Park Water EDUs

Sol. Rehmeyer drafted an agreement for the water EDUs on this property to prevent more wells in the wellhead zone.

### 133 S. Main St. Payment Plan

Council agreed to let the property owner set up a payment plan with the warning that if they don't keep up with the payments, execution would take place.

M. Ridgely moved to approve a payment plan for this property and that execution would occur if the payment plan fails.

E. Stoley and C. Skoglund seconded. The motion carried with all in favor.

### Met Ed Operations Investigation

A letter was received asking for participation in a PUC investigation of the operations of Met Ed in light in the recent large power outage during Hurricane Isabel.

The Borough will not participate and will not share in the cost of the investigation.

### **Public Safety, Welfare and Personnel** – Frederick C. Noble

The tax collector issue was previously discussed.

**Secretary's Report** – Cindy L. Bosley**High Speed Internet Access**

Adelphia Cable will not offer free high speed internet access to us while they are under a bankruptcy. They can offer us the residential rate of \$46.00 per month.

**Emergency Management Training February 19**

John Fornadel would like someone to go to this training.

**York Area Tax Bureau** – Frederick C. Noble

Ray Fox has retired and Lois Kashner has taken his place. There was an issue as to whether the Board of Directors would be covered in the event the Bureau was sued. After investigation, it was discovered the Directors would be covered under that policy.

A meeting will be held with the Borough's insurance agent to see if an endorsement could be purchased to make sure those acting on behalf of the Borough on various Boards and Commissions not under direct control of Council are covered under the Errors and Omissions policy.

**Recreation Board/Regional Recreation Board** – Frederick C. Noble

A letter was received from Dave Mixon that said there is no one on the Board and that it ceases to operate. The Township plans to sponsor a joint meeting maybe in March.

Citizen Gregory Hartman was present to express interest in serving on the regional recreation board or the Borough's recreation board.

R. Buchanan moved to appoint Gregory Hartman to the Borough's recreation board.

E. Stoley seconded.

R. Buchanan amended the motion that if and when the SRRB is reactivated, that Gregory Hartman be appointed the Citizen Representative.

E. Stoley seconded. Both motions carried with all in favor.

**Planning Commission/Regional Planning Commission** – Eric W. Stoley**Southern Regional Police Commission** – Richard R. Buchanan

Council was in favor of a study by members of the Southern Police Commission on other funding formulas and controlling costs. Items discussed were: the number of dogs owned by the department; man hours required for training the dogs and performing services not on regular time; charging for services of the police dogs in certain situations, like the Spring Grove School District drug searches; not subsidizing Glen Rock's portion of the police budget; calls in Shrewsbury Township for which we receive no money for services provided; revisiting the issue of reimbursement for not using State Police coverage.

Buck mentioned a replacement dog will be donated to the department to replace the dog that was killed in a non-work related incident. After discussion, the consensus of the Council was to not micromanage the police commission or the department.

**UNFINISHED BUSINESS****Pinnacle Towers**

M. Ridgely stated he will be following up on the Pinnacle Towers offer of purchasing a perpetual easement for the tower on Woodland Dr.

**Land Purchase**

February 29 is the deadline for the property owners to respond to our offer to purchase land.

**NEW BUSINESS****COMMUNICATIONS****Deer Creek Watershed Study**

The Secretary received a call from Paul Solomon that the Southern Regional Planning Commission would like another letter of support for a watershed grant. Discussion indicated the grant is most likely a non-issue and we would not send another letter.

**ADJOURNMENT**

E. Stoley moved to adjourn the meeting at 11:10 p.m.  
M. Ridgely seconded. The motion carried with all in favor.

Submitted by,

Cindy L. Bosley