

MINUTES

SHREWSBURY BOROUGH COUNCIL

REGULAR AND REORGANIZATIONAL MEETING JANUARY 5, 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; Mr. and Mrs. Don Wallen; Michael R. Caum, Constable

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

OATHS OF OFFICE

Mayor Reedy administered the Oaths of Office to re-elected Councilmen, Michael W. Ridgely, Peter W. Schnabel and Eric W. Stoley and newly-elected Councilmen, Michael R. Caum, Esq. and Frederick C. Noble.

ELECTION OF PRESIDENT – Mayor Reedy presiding.

M. Ridgely moved to nominate Peter W. Schnabel for the position of Council President.

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

ELECTION OF VICE PRESIDENT – Peter W. Schnabel presiding

C. Skoglund moved to nominate Michael W. Ridgely for the position of Council Vice President.

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

APPOINTMENTS BY COUNCIL

Secretary – Cindy L. Bosley

Assistant Secretary – Doreen Y. Smith

Treasurer – Cindy L. Bosley

Borough Solicitor – Jeffrey L. Rehmeier, II, Esq. of CGA The Law Firm

Zoning Hearing Board Solicitor – Harry L. McNeal, Jr., Esq.

Sewage Enforcement Officer – David Brown

Auditor – Donald F. Martin, CPA

Zoning and Building Permit Officer and Building Inspector – Codes Enforcement:

E. Michael Lee, with Herbert Daugherty and Anthony Paglia as assistants

Borough Engineer – James R. Holley, P.E. of James R. Holley & Associates

Planning Commission Engineer – James R. Holley, P.E. of James R. Holley & Associates

C. Skoglund moved to approve the above re-appointments.

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

OTHER APPOINTMENTS

Water & Sewer

Richard R. Buchanan, Chairman

Eric W. Stoley

Michael R. Caum

Public Roads & Lighting

Christopher M. Skoglund, Chairman

Eric W. Stoley

Michael R. Caum

Public Safety, Welfare and Personnel

Frederick C. Noble, Chairman

Richard R. Buchanan

Eric W. Stoley

Public Lands & Buildings and Finance

Michael W. Ridgely, Chairman

Frederick C. Noble

Christopher M. Skoglund

Subdivision, Land Development & Zoning

Eric W. Stoley, Chairman
Frederick C. Noble
Michael R. Caum

Retirement Committee: Trustees Pension

Christopher M. Skoglund, Chairman
Michael W. Ridgely

Chief Administrator of Pension Plan

Christopher M. Skoglund

Local Government Advisory Committee

Frederick C. Noble
Michael R. Caum – alternate

Council of Governments

Eric W. Stoley
Richard R. Buchanan – alternate

York Area Tax Bureau

Frederick C. Noble
Michael R. Caum – alternate

Emergency Management Representative

Eric W. Stoley

Vacancy Board

Christopher M. Skoglund
George Smith – Registered Elector

Emergency Management Director/Coordinator

Bradford Bobbitt
Nate Kirschman, assistant

Southern Police Commission

James W. Reedy, Mayor
Richard R. Buchanan, Council Representative
Paul O. Crouse, Citizen Representative

Civil Service - Police

Michael R. Caum, Esq.

Police Pension Committee

James W. Reedy, Mayor
Paul O. Crouse

SYC Regional Planning Commission

Eric W. Stoley
George Smith – alternate

SYC Regional Recreation Board

Michael R. Caum, Esq.
Vacant, Citizen Representative

Tax Payers Bill of Rights

Eric W. Stoley

CITIZEN'S COMMENTS

Mr. and Mrs Donald Wallen of 210 South Main Street were present to say the contractor doing work at 214 S. Main St. is over on his property with their

addition. He had his property surveyed and his attorney had sent a letter to the contractor but the work did not stop. The Borough will have the zoning officer work with the Solicitor to issue an enforcement notice and a stop order.

M. Ridgely moved to authorize Codes Enforcement to issue a stop work order at 214 S. Main St.

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

Mr. Wallen was told he should deal with the trespass issue; the Borough will deal with the zoning and setback laws.

APPROVAL OF MINUTES

F. Noble moved to approve the minutes of the December 10 and 17 meetings.

C. Skoglund 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 November, 2003.

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

BILLS

- CGA Law Firm – delinquent water and sewer account for Larry Henry \$304.84
- Harry L McNeal, Jr., Esq. Jacobson zoning hearing \$2,142.00

R. Buchanan moved to approve payment of the above bills.

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

SUBDIVISION AND LAND DEVELOPMENT BUSINESS

Reduction in Letter of Credit for Covington Ridge Phase I

The balance is \$54,737.10 and Eng. Holley recommends the letter of credit may be reduced to a new balance of \$25,715.13.

E. Stoley moved to approve the reduction in the letter of credit.

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

REPORTS

Zoning/Building Permit Officer

R. Buchanan moved that Codes Enforcement use their forms for our permit, zoning, building and inspection work.

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

OTHER REPORTS

Water & Sewer – Richard R. Buchanan

Grease Traps

Sal's Pizza has not responded to noncompliance letters regarding the grease trap ordinance. The most difficult part of the inspection process is the fact they're located inside the building with no sampling manholes to monitor illegal sewer discharges.

Sol. Rehmyer will review the ordinance's violation notice and get a notice of violation out to the property owner.

Fees for Inspections

Brian said he often has to do water and sewer inspections on the overtime rate. The current rate is \$45.00 per hour and he usually has to go back within the hour for another inspection.

R. Buchanan moved that the fee of \$45.00 be charged for each inspection - \$45.00 for the first inspection and \$45.00 for the second visit, the re-inspection.

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

New Meters

The new meters will arrive in January raising the meter costs from \$155.00 to \$285.00 and can be read either from the road or the house.

Public Roads & Lighting – Christopher M. Skoglund

Annual Road Inspection

The inspection will take place earlier this year; we are on schedule to pave Old Farm Lane and Covington Drive. Cracks will be sealed on several streets when the weather is warmer. Storm drains will be cleaned out with the help of New Freedom Borough's vactor truck. The cost should be less than \$2,000.00.

Storm Drain Inlet Repairs

Eng. Holley was asked to get the bid process started for repairs to storm drain inlets at South Highland Drive and Gatewood Drive and North Main Street.

Correction to Traffic Study on Mt. Airy Road

The Secretary was asked to send a letter to PennDOT correcting the time the study should be done to 6:30 a.m. instead of 7:30 a.m. PennDOT was asked to look at Mt. Airy Road because traffic backs up waiting to turn left in the morning.

Turning Lane Eastbound on West Forrest Avenue

This will be put on the February agenda as parking will be lost if we proceed with the turning lane.

Speeding on Covington Drive

A letter was received by a resident asking for speed bumps on Covington Drive. R. Buchanan will respond.

A solution would be to allow the local police forces to use radar. M. Caum suggested an officer watch the intersection for stop sign violators as a deterrent.

Public Lands, Buildings and Finance – Michael W. Ridgely

ENGINEER'S REPORT

Eng. Holley said he is meeting with Mike Lee about the packet they're getting ready for the exit 4 upgrades.

Two plans will be signed after the meeting: the mini-warehouse at Lot 5 Onion Blvd. and the Deer Creek development plan.

SOLICITOR'S REPORT

Ordinance #2004-1 Swimming Pool Amendment

The ordinance does not address hot tubs and Sol. Rehmeyer was asked to research that issue to see if another ordinance needs to be adopted.

C. Skoglund moved to adopt Ordinance #2004-1 to amend the swimming pool section of the zoning ordinance.

E. Stoley seconded. The motion carried with all in favor except M. Caum.

Jacobson Hearing – 8 Spring Creek Drive

Sol. Rehmeyer sent a letter to the Zoning Hearing Board Solicitor that the Borough is in agreement with the decision. Fee information was given to the Secretary.

Grim's Glass & Plastic/Doug Miller

A decision was issued by Judge Snyder concluding that the decision of the Zoning Hearing Board was supported by substantial evidence and did not constitute an error of law. Judge Snyder dismissed the land use appeal. The hearings in front of the magistrate will be in March.

Codes Enforcement was asked to proceed with the fence violation at 121 West Railroad Avenue that exceeds the height requirements in the front yard area.

Freedom Systems

Sol. Rehmeyer was in contact with Chuck Young of General Services concerning Freedom Systems' state contract. He instructed Sol. Rehmeyer to send a letter of complaint and if the complaint is substantiated, Freedom Systems will be placed on a banned vendor list.

Regulation of Truck Parking

A letter will be sent asking that certain streets be studied.

Single Family Definitions

Sol. Rehmeyer is researching case law concerning the definition of a single family to determine if our zoning ordinance is appropriate and enforceable.

Cable Franchise Agreement

Sol. Rehmeyer is reviewing the information provided by Brian Berger of Adelphia and is waiting to receive a revised Franchise Agreement.

Public Safety, Welfare and Personnel – Frederick C. Noble

Secretary's Report – Cindy L. Bosley

The phone system's automated attendant and voice mail quit working over the weekend and will be repaired Tuesday.

York Area Tax Bureau – Frederick C. Noble

Recreation Board/Regional Recreation Board – Frederick C. Noble

The letter about the 2004 budget was sent to Henry Young. Dave Mixon came to the office looking for office space that may possibly be utilized by the regional recreation board. There was a miscommunication in this matter. It was felt that no dues money should be paid yet.

Planning Commission/Regional Planning Commission – Eric W. Stoley

The regional planning commission will hold five meetings in 2004.

Block Buster Variance – Sign Request

E. Stoley said the zoning hearing is January 15 and he will be in attendance as a citizen. The request is for a second sign.

AAA Second Sign on Rear of Building

The Secretary was directed to send a letter to AAA that the second sign placed on the rear of the building at the new shopping center needs to come down within 30 days.

Signs at the New Shopping Center

Codes Enforcement was asked to look at the trailer in the rear that has a banner on for Mattress Warehouse and the temporary Giant sign. They were asked to check for other sign violations at the shopping center.

York Area Metropolitan Planning Organization (YAMPO)

A letter was received from Jason A. Snyder, P.E. of C.S. Davidson, Inc. asking for nomination for him to represent Region 1 at the MPO.

E. Stoley moved to nominate Jason Snyder to be the representative for Region 1 on YAMPO.

C. Skoglund seconded. The motion carried with all in favor. It will be requested that if Mr. Snyder is chosen, that he work with the Roads Committee.

Southern Regional Police Commission – Richard R. Buchanan

The police department issued about 25 citations for traffic violations at the new shopping center at Mt. Airy Road and Cardinal Drive.

A letter was received from Glen Rock Borough notifying the police commission of their option to withdraw next year due to financial problems. At this point, it's not definite, just a warning.

Buck stated the committee will look at the funding formula.

C. Skoglund asked that the police department pay more attention to motorists parking facing the wrong direction on the street.

UNFINISHED BUSINESS

Amending Zoning Fees

The newly -formed Subdivision, Land Development and Zoning Committee will meet to determine the new building and permit fees to be utilized by Codes Enforcement.

NEW BUSINESS

Re-appointments:

William Winfree to Municipal Authority; new term to expire 1/1/09

Ronald Melfa to Zoning Hearing Board; new term to expire 1/1/07

Frank Dittenhafer to Zoning Hearing Board (alt.); new term to expire 1/1/07

M. Ridgely moved to approve the above re-appointments.

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

COMMUNICATIONS

ADJOURNMENT

M. Ridgely moved to adjourn the meeting at 9:40 p.m.

F. Noble seconded. The motion carried with all in favor.

Submitted by,

Cindy L. Bosley, Secretary