

MINUTES

SHREWSBURY BOROUGH COUNCIL

REGULAR MEETING

OCTOBER 11, 2006

PRESENT: Mayor James W. Reedy, Richard R. Buchanan, 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; John Morrell; Keith Wills; Michael Smelgus; Tyler Harpster; Nate Kirschman; Kelly Fodel; Meagan Floyd; Mark Hackenburg of RGS Assoc.; Dan Martin of Weaver Precast

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

John Morrell of 26 North Main Street was present to reiterate the agreement a few years ago was to not overwhelm the Village zone with commercial uses. There is a small group in the Village who want to make it more commercialized. If the Main Street Program is pursued, John asked the Council if it was ready to commit the staff needed to manage the program and complaints as a result of sidewalk or curb or other reconstruction.

APPROVAL OF MINUTES

M. Ridgely moved to approve the minutes of the September 13 meeting.
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.
E. Stoley seconded. The motion carried with all in favor.

BILL LIST

The bill list was presented for September. General account: check numbers 7912 thru 7970; Water account: check numbers 3660 thru 3679; Sewer account: check numbers 3634 thru 3646; Highway Aid account: check number 728.

E. Stoley moved to approve the bill list for September.

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

SUBDIVISION AND LAND DEVELOPMENT BUSINESS**Messina Bond Reduction**

Eng. Holley concurs the bond may be reduced by an amount of \$13,000.00 leaving a balance of \$30,550.00.

E. Stoley moved to reduce the bond by an amount of \$13,000.00 leaving a balance of \$30,550.00.

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

Heathcote Glen Letter of Credit

Eng. Holley concurs the letter of credit may be reduced by an amount of \$165,221.00 leaving a balance of \$195,284.05.

E. Stoley moved to reduce the letter of credit by an amount of \$165,221.00 leaving a balance of \$195,284.05.

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

REPORTS**Codes Enforcement** – Michael Lee**Laurence Wirtz, 46 Lexington Drive**

Enforcement notices are ready to be served on Mr. Wirtz and will be hand-delivered tomorrow morning.

Don Cresswell, 46 North Main Street

Mike has finished his analysis of the file and assessment of the property. He does not feel the present use is allowed even though the back unit is not occupied full-time, it still looks like living quarters. Mike said it's up to Council to make a decision. Mike will mail Cresswell's copy tomorrow.

39 North Main Street Paving

The property owner paved the gravel parking lot. The permit was found for when permission was granted to install the parking spaces. Paving was done over the stoned area only.

14 North Main Street

Mike said there is interest of a consignment shop or other use at this property. He is waiting on the applicant to contact him so he can do a walk through of the property regarding ADA requirements. E. Stoley asked if the applicant is aware they need a special exception.

Starting Work Without a Permit

There is a continuing problem of work starting without permits. Mike is working on a solution. An article will be in the next newsletter.

Sign Inventory

Mike handed in the inventory of signs but he needs to decipher the old permit files to see which signs have permits.

LED/LCD Signs

Mike will supply the Borough with a copy of an ordinance that addresses the new sign technology.

Weaver Precast

The revised plan for stormwater control was reviewed at staff review yesterday. Calculations need to be done on buoyancy to ensure the tanks will not come out of

the ground. This is an in-ground system and the applicant is asking for re-approval. Staff review asked for amendments to the plan which were done today.

E. Stoley moved to approve the plan conditionally subject to final approval by James R. Holley & Assoc.

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

Water & Sewer – Richard R. Buchanan

Keeney Well

The well testing plan was approved by the DEP and we are waiting on comments from the SRBC. After that, our hydrogeologist can provide his revised price schedule to complete the project.

Private Wells

The Wellhead Protection Committee met on October 3. There are 31 Borough residents that still use private wells and are not connected to the water system. The cost to connect including the water connection fee is \$4,000.00. Buck drafted a letter, which was amended and approved by Council, that it is proposing to waive the connection fees. A meeting has been set for Thursday, November 16 at 7:30 p.m. to meet with the 31 property owners.

R. Buchanan moved to adopt the letter.

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

Public Roads & Lighting – Christopher M. Skoglund

Driveway Ordinance

Copies of ordinances from other municipalities were supplied and Chris thanked Mike Lee for providing the copies. The Committee will review the ordinances.

Public Lands & Buildings and Finance – Michael W. Ridgely

Woodland Drive Tower Site

The Borough owns the tower and shed on Woodland Drive now; there is no tenant at the site and the electric was terminated. Nate Kirschman offered to find a commercial tenant to refer to the Borough. The EMA and the radio club will utilize the tower.

Playground Landscaping Improvements

A church has offered to place a garden around the sign at the Charles Sweeney Memorial Park.

E. Stoley moved to authorize the church to provide landscaping improvements up to \$1,000.00. The Borough may want to purchase the materials to avoid sales tax. M. Ridgely seconded.

E. Stoley moved to amend the motion to get a proposal from the church in writing, that there be no labor charge, we purchase the materials and that there be no annual plants.

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

New Tamper

Brian said the recently-repaired 20 year old vibratory plate is broken again. A new one costs \$2,000.00.

E. Stoley moved to authorize the purchase of a new tamper not to exceed \$2,000.00.

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

Budget Meeting

The next budget meeting is Wednesday, October 18 at 7:00 p.m.

ENGINEER'S REPORT

95 East Forrest Avenue

The grading plan was reviewed at staff review and the applicant needs to come back as the plan didn't show how the grading will look when finished. Staff does

not feel the plan needs to go to the Planning Commission since there are no buildings involved and the plan will not be recorded.

Assembly of God/Dunkard Brethren Churches

This is a transfer of approximately 800 square feet from the Assembly of God Church to the Dunkard Brethren Church to straighten out the property lines. It is also a reverse subdivision for the Dunkard Brethren Church. This plan will go back to the staff review.

Valley View Grove

The Homeowner's Association would like copies of the inspection reports on the detention basin and Eng. Holley's office is putting the reports together. Resident Keith Wills stated there is no water going through the major outlet on the south end. Brian Sweitzer placed dye in the water and it did not go into the sewer. Keith stated he hears the water running underground. Eng. Holley stated that during the next good rain, someone from his office will visit the pond. After the final plan was approved, the developer approached Eng. Holley about installing two monument lights at the intersection of Kratz Road and Valley View Road. The resolution was signed to include those lights but there was only one easement on the plan and no conduit was run for the lights. The Borough will inform the developer that one standard street light should be placed at this intersection on the south side of Kratz Road where there is already a transformer. If the residents want the monument lights later on, they can install them. The retaining walls put in place do not match the approved plan. The developer knows there is a problem with access to the rear of the yards and he stated they should correct the problem. Eng. Holley will send a letter asking for a time schedule as to when the walls would be corrected. Backfill on lot nine is needed.

SOLICITOR'S REPORT

Amendment to Sign Section of Zoning Ordinance

The Borough's Planning Commission was not in favor of amending the Zoning Ordinance to allow Houses of Worship, Public Schools and other non-profit institutions to have larger signs. The York County Planning Commission had comments regarding the language of "up to 24 square feet" when that language is not found in any other size requirement; that no sign in excess of 32 sq. ft shall be

within 75 feet of a residential use was too restrictive; why are we prohibiting internally illuminated signs; language of Temporary Signs is confusing and why is the Borough differentiating between uses based on profit or non-profit or charitable status.

C. Skoglund moved to leave the Zoning Ordinance as is.

R. Buchanan seconded. The motion carried with all in favor except E. Stoley who was not in favor as he feels the section dealing with Temporary Signs needs to be addressed.

C. Skoglund thanked the Committee for all their work and that the Committee should review at the Temporary Signage issue.

Tower Site on Woodland Drive

Sol. Rehmeier's office requested the site be placed on tax exempt status.

Deer Creek Buffer Zone

Sol. Rehmeier prepared a Memorandum that allows sheds and fences in the buffer area as long as they do not interfere with the tree growth. The Memorandum will include that the property owners will cut the grass if Kimco continues to own and maintain the trees. The Subdivision, Land Development and Zoning Committee will set up a meeting with the Fawn Drive and Cardinal Drive property owners to review the Memorandum.

There are dead trees in the buffer; a letter will be sent to Kimco.

Kimco also needs to take down the for rent sign at the shopping center.

Executive Session

An executive session was called at 9:42 p.m. to discuss a zoning hearing board appeal.

The meeting was reconvened at 9:59 p.m.

C. Skoglund moved to instruct Sol. Rehmeier to defend the appeal filed by Michael Eagan against the zoning hearing board's decision.

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

Deed of Dedication Constitution Avenue

This is for the widening of Constitution Avenue in conjunction with the new shopping center.

C. Skoglund moved that the deed of dedication be executed.
E. Stoley seconded. The motion carried with all in favor.

Public Safety, Welfare and Personnel – Eric W. Stoley/Richard R. Buchanan

The Secretary asked for some paid vacation time for part-timer Doreen Smith who has been employed since 1994 and went part-time in 1995. A graduated tier will be put in place to be worked out by the Committee.

Secretary's Report – Cindy L. Bosley

The annual meeting of the York County Boroughs Association will be on Saturday, November 11.

Annual Tree Lighting

The tree lighting ceremony will be on Sunday, December 3 at 6:00 p.m.

York Adams Tax Bureau

Subdivision, Land Development and Zoning – Eric W. Stoley

LED/LCD Signs

The Committee met with Ken Zampier who will be at the November Council meeting to show Council the type of sign he would like to be allowed to erect. The Committee feels the zoning ordinance should be amended to regulate the new signs as far as color, wattage, size and time of usage.

Buffers

The information supplied by Eng. Holley will be forwarded to the Borough's Planning Commission for comments.

Regional Planning Commission

We have not received a response from Shrewsbury Township regarding our letter asking how the Regional Planning Commission will operate without representatives or a meeting quorum.

Southern Regional Police – Richard R. Buchanan

The new radios will cost \$27,500 as opposed to the \$22,000 budgeted. P. Schnabel suggested the Borough place signs at entrance points in the Borough that the it is protected by the Southern Regional Police Department to help ward off crime in the Borough. Buck reported there were two meetings with the police union. An item will be in the next newsletter asking residents to close their garage doors and lock car doors.

UNFINISHED BUSINESS**Former Tyco Building on West Clearview Drive**

Rick Pardew has asked for an amendment to allow churches as a use in the Industrial zone. This was referred to the Planning Commission.

NEW BUSINESS**OTHER BUSINESS****COMMUNICATIONS****ADJOURNMENT**

C. Skoglund moved to adjourn the meeting at 10:33 p.m.
E. Stoley seconded. The motion carried with all in favor.

Submitted by,

Cindy L. Bosley, Secretary