

MINUTES

SHREWSBURY BOROUGH COUNCIL

REGULAR MEETING

DECEMBER 14, 2006

PRESENT: Mayor James W. Reedy, Richard R. Buchanan, Michael R. Caum, Thomas D. Metz, 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; Barb Krebs of The York Daily Record; Kenneth Keeny; Eric Johnston, P.E.; Robert Fisher; Tony Myers, Fire Chief; Keith Wills; Tim Weigard

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

Tim Weigard of 20 Tree Hollow Drive asked if anything has been submitted by Cornerstone relating to correction of the retaining wall problems.

Keith Wills, Valley View Grove Home Owners Association, stated he heard the developer wanted to build steps on the outside on the downhill side in the easement.

Eng. Holley will call Cornerstone regarding the retaining wall correction time frame and the status of PA DEP looking at the pond.

Robert Fisher of 120 West Forrest Avenue was present about the day care next door and some items that need to be corrected in accordance with the Zoning Hearing Board's decision, including several plantings that are dead or dying and are only two to three feet high, no striping on the lot, and there is a pile of junk in the corner.

Mike Lee said it is in his report to ask Sol. Rehmeyer to send an enforcement notice regarding the issues. Mike said this is the first he heard about the violations of not using the correct entrance and exit.

APPROVAL OF MINUTES

R. Buchanan moved to approve the minutes of the November 8 meeting with a correction under Water Report Keeny Well that the PADEP approved the testing plan, not the Susquehanna River Basin Commission.

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

APPROVAL OF EXPENDITURES AND REPORT OF ACCOUNTS

The report for October will be approved at the January meeting.

BILL LIST

The bill list was presented for November. General account: check numbers 8027 thru 8082; Water account: check numbers 3699 thru 3714; Sewer account: check numbers 3662 thru 3672; Highway Aid: check numbers 729 and 730.

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

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

SUBDIVISION AND LAND DEVELOPMENT BUSINESS

Dunkard Brethren Church/Assembly of God Church Subdivision Plan

All seven items from the November staff review have been corrected.

E. Stoley moved to approve the final subdivision/reverse subdivision plan.

C. Skoglund seconded. Roll call vote:

| | |
|----------|---------------|
| Buchanan | yes, in favor |
| Caum | yes, in favor |

| | |
|----------|---------------|
| Metz | yes, in favor |
| Skoglund | yes, in favor |
| Stoley | yes, in favor |
| Schnabel | yes, in favor |

Grading Plan for 95 East Forrest Avenue

The plan shows the finished grade for fill that will be spread at the property. The final grade on their lateral may be 20 feet deep. It is imperative that good, clean fill dirt be used at the property because of the wellhead protection zone.

Eng. Holley's office was asked to research the PA DEP testing frequency and other requirements. The applicant will need to follow the testing requirements and to hold off bringing any more fill in. If the dirt is contaminated, it will have to be removed. The testing protects both the Borough and the developer.

E. Stoley moved to approve the final grading plan contingent on the property testing guidelines being established by Eng. Holley to determine if clean fill is being used.

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

Heathcote Glen Letter of Credit Reduction

Eng. Holley concurred the letter of credit may be reduced by an amount of \$113,284.05 leaving a balance of \$82,000.00.

E. Stoley moved to reduce the letter of credit by an amount of \$113,284.05 leaving a balance of \$82,000.00.

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

REPORTS

Codes Enforcement – Michael Lee

Fair Prospect Emergency Access

On one of the plans, an emergency access is shown that leads to the water site behind the Lutheran Church.

R. Buchanan moved to authorize Eng. Holley respond to Shrewsbury Township that the Borough does not want to grant access across our property and in addition, we don't own the cartway, we have a right of way to use the church's access lane. E. Stoley seconded. The motion carried with all in favor.

Laurence Wirtz – 44 Lexington Drive

Mike has a meeting to inspect Laurence's addition tomorrow.

Grim's Glass

Someone is interested in purchasing the Grim's Glass buildings for making furniture. Zoning Hearing Board approval would be needed. The agreement for the apartment is it has to be owner-occupied, not rented out.

EXECUTIVE SESSION

An executive session was called at 8:28 p.m. to discuss a personnel issue. The meeting was reconvened at 9:02 p.m.

The meeting was to discuss allegations against Mike Lee. Sol. Rehmeyer read the following statement:

"The executive session was to discuss the allegations against Mike Lee. Mike is a principal owner in Codes Enforcement which is the company that does your building code enforcement and does your zoning. We've obtained information from Mike that we reviewed in the executive session and detailed the allegations against him. At this point, they have not been proven; at this point a hearing will be heard and at this point Mike Lee still retains his license and certification to inspect. Given the fact that he retains his license, and I think the Council would agree that he's done an excellent job here in the Borough, it's the Council's intention to continue with Codes Enforcement including Mike Lee pending the resolution of these issues. As a practical matter, Codes Enforcement does have other certified inspectors available within the company that can also provide inspection services and Codes Enforcement has also arranged for Commonwealth Codes Enforcement to provide back up services as necessary. So, at this point, the Borough of Shrewsbury will continue its use of Codes Enforcement as it has in the past."

Water & Sewer – Richard R. BuchananKeeney Well

The Susquehanna River Basin Commission is still reviewing the pump test plan. Then Paul Miller can give us a cost estimate.

Private Wells

Brian has met with several homeowners and measured the length of the water services. When Brian has all the measurements, the Borough can then bid the work out.

Gas Station Facility Profiles

Facility Profile Sheets were returned by all gas stations except the Getty Mart at 602 South Main Street.

Sol. Rehmeyer was asked to send a strong letter asking for the information.

Public Roads & Lighting – Christopher M. SkoglundMarket Square Signal

Council agreed to have a traffic recount done in all directions at Market Square to see if left turn signals are warranted in any other direction.

C. Skoglund moved to spend \$600.00 to have traffic recounted in all four directions.

T. Metz and E. Stoley seconded. The motion carried with all in favor.

Street Light Resolution Valley View Grove

The resolution to have one 70 watt light installed at the intersection of Kratz Road and Tree Hollow Drive was signed.

C. Skoglund moved to approve the signing of the Resolution.

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

Signal Control East Side of I-83

The control box was damaged about a month ago and is still held up with rope. B. Sweitzer said he will check the repair status with Shrewsbury Township. The lights need to be calibrated as well.

Public Lands & Buildings and Finance – Christopher M. Skoglund

Scout House Addition

The Scouts are expecting additional membership in the next two years. Plans to enlarge the building for more rooms will be discussed.

Prospect Circle Privacy Fence

M. Ridgely and B. Sweitzer met at the site of the proposed fence. The Borough will allow the fence to be installed at the expense of the property owners after a building permit is obtained.

C. Skoglund moved to allow the fence to be put up on our property providing the property owners pay for the fence, accept maintenance of the fence and obtain a building permit, but we reserve the right to take down the fence at any time.

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

Borough Equipment Costs

We have requests from time to time to perform work for other municipalities and contractors. The following hourly rate schedule is adopted:

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|--|---------------|
| Sewer Trailer and Camera with Operator | \$100/hour |
| Sewer Jetter with Operator | \$ 70.00/hour |
| Air Compressor with Operator | \$ 70.00/hour |
| Backhoe with Operator | \$ 65.00/hour |
| Lateral Sewer Camera with Operator | \$ 60.00/hour |
| Small Equipment(pumps, compressors, air tanks, etc.) | \$ 10.00/hour |
| Dump trucks with Operator | \$ 60.00/hour |

R. Buchanan moved to adopt the above fee schedule.

M. Caum and C. Skoglund seconded.

E. Stoley moved to amend the motion that Sol. Rehmeyer prepare a hold harmless agreement/contract to be signed by each requester of our services.

The motion seconded and carried with all in favor.

Ballfield Generator

The old ballfield generator is in the garage. B. Sweitzer was asked to put the generator out for bid.

Playground Paving

The paving for the parking lot is finished. Line painting and top soiling will be done in the spring.

2007 Tentative Budget

C. Skoglund moved to adopt the tentative 2007 budget with no changes in the tax rate (1.2 mills) or water, sewer or refuse rates.

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

ENGINEER'S REPORT

Items were already discussed.

SOLICITOR'S REPORT

Water Connection Ordinance

E. Stoley moved that Sol. Rehmeyer advertise the ordinance for adoption.

T. Metz and M. Caum seconded. The motion carried with all in favor.

Michael Eagan Land Use Appeal

Mr. Eagan's attorney has taken no further action since filing the appeal.

Grim's Glass & Plastics, Inc.

There is a contingent sales agreement on the property and the realtor and Mr. Miller's attorney have asked for a payoff figure.

I-83 Rest Stop Issue

Sol. Rehmeier's office is communicating their concerns about the agreement with Assistant Counsel Sharp at PennDOT while the Borough continues the process of obtaining approvals to do the well site testing.

2007 Tax Ordinances

The ordinances are ready for adoption at the year end meeting.

Valley View Grove

An agreement was sent to Cornerstone for signature pertaining to our maintenance of the roads in the development until the roads are adopted.

Public Safety, Welfare and Personnel – Michael R. CaumHoliday Schedule

M. Caum moved that the Office and Public Works Department close at noon on Friday, December 22 and December 29 and on Christmas Day and New Year's Day.

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

Substitute Snow Plow Driver

Permission was granted to use the services of Baron Matthews as a driver while William Murphy is out on a workers compensation related injury. The rate will be \$45.00/hour and Matthews will be added as a driver on our insurance policy.

Pension Audit

The pension audit report for the years 2003 through 2005 was received and the Borough is in compliance.

DCED Grant

A grant for the John Deere Gator and rotary broom will be submitted next week.

Secretary's Report – Cindy L. Bosley

Reminder of the year end meeting on Wednesday, December 27.

York Adams Tax Bureau – Thomas D. MetzSubdivision, Land Development and Zoning – Eric W. StoleyBuffer Zone

The Planning Commission reviewed the buffer zone information but they feel the ordinance should not be changed.

Regional Planning Commission

We have not received a response from Shrewsbury Township regarding how the Regional Planning Commission can function without a quorum.

Southern Regional Police – Richard R. Buchanan

Glen Rock Borough has requested meetings be held to discuss the funding formula for the year 2008. The first meeting should include a briefing.

The contract negotiations ceased and will go to arbitration.

UNFINISHED BUSINESSNEW BUSINESS

M. Caum attended the meeting on December 5 regarding the regional comprehensive plan update. There will be a hole in the plan if New Freedom Borough does not participate in the update. Glen Rock Borough was represented at the meeting.

A letter will be sent urging New Freedom Borough to participate. There is no cost involved.

OTHER BUSINESS

COMMUNICATIONS

ADJOURNMENT

C. Skoglund moved to adjourn the meeting at 9:55 p.m.

T. Metz seconded. The motion carried with all in favor.

Submitted by,

Cindy L. Bosley, Secretary