

MINUTES

SHREWSBURY BOROUGH COUNCIL

REGULAR MEETING

MARCH 12, 2003

PRESENT: Mayor James W. Reedy, Salvatore A. DiPaula, Jr., 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; Jeff Keating, Zoning Officer; Phil Robinson, Randy Shearer, Gary LaBarre, Barb Krebs of The York Dispatch; Terri Reuter of The York Daily Record; Bill Donohue; Charles Kreiner

The regular meeting of the Borough Council convened at 7:31 p.m. in the Borough Municipal Building, 35 West Railroad Avenue with President Schnabel presiding.

CITIZEN'S COMMENTS

Gary LaBarre The Communications Club would like to do a demonstration as to how the EOC roles interact. The demonstration will be done at the open house to be scheduled in May or June.

Bill Donohue of Automated Production System on East Tolna Road. The company received a sewer bill for over \$3,000.00 for the fourth quarter. The Public Works Department discovered the high usage when the meter was read for the billing and they went back later in the day to find the meter had moved 500 gallons and the dial was still moving. Brian went inside to investigate and it was discovered a toilet in a ladies room had a flapper that was stuck and the water was running through the toilet. Mr. Donohue argued that there is reasonable doubt that not all of the consumption was due to the faulty toilet. The consumption is back to normal. Without proof otherwise, Council took the position the water ran through the toilet as discovered by the Public Works Department and the effluent was paid for by the Borough at the treatment plant and therefore the bill must be paid. Council said a payment plan could be arranged.

APPROVAL OF MINUTES

S. DiPaula moved to approve the minutes of the February 12, 2003 meeting. F. Noble seconded. The motion carried with all in favor; E. Stoley and C. Skoglund were not at the February meeting.

APPROVAL OF EXPENDITURES AND REPORT OF ACCOUNTS

M. Ridgely moved to approve the expenditures and report of accounts for January, 2003.

C. Skoglund seconded. The motion carried with all in favor. A budget tracking report showing investments, income and expenses was presented.

BILLS

- James R. Holley & Associates, Inc. general engineering \$911.10; new wells \$334.00; sewer map update \$70.75; roof replacement \$340.00; Northbrook sewer extension \$2,754.91; specifications for truck bid \$204.00; Chapter 94 report \$157.23;
- Velda Nickell bookkeeping services for February 32 hours \$800.00
- Codes Enforcement inspection time for Giant and North/South building \$504.00
- CGA Law Firm Doug Miller zoning hearing appeal \$2,635.80

E. Stoley moved to approve payment of the above invoices. S. DiPaula seconded. The motion carried with all in favor.

SUBDIVISION AND LAND DEVELOPMENT BUSINESS

Cornerstone Development Corp., Inc. – Valley View Grove Development, between W. Clearview Dr. and Kratz Rd. - Final Subdivision Plan

There were 16 comments listed in Eng. Holley's letter dated March 7. E. Stoley mentioned the area where the roadway is proposed looks like wetlands and he was concerned about the roadbed becoming like Essex Circle Drive in the future. There was also discussion about the monitoring wells on the AMP property. B. Sweitzer will ascertain why the wells are there, what testing was being done and

what were the results. We need this information for the wellhead protection plan, also. Sol. Rehmeyer said he has reviewed the homeowners association agreement and he is asking that before the plan is recorded that he be given a chance to review the final agreement.

C. Skoglund moved to approve the final subdivision plan contingent upon the satisfaction of all of the comments listed in Eng. Holley's letter dated March 7 and satisfaction of the comments of the York County Planning Commission. The motion was amended to add that Sol. Rehmeyer be given a chance to review the final homeowners association agreement. The motion was further amended that a note should be added to the cover page to say 34 EDUs were assigned to this development.

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

As to the monitoring wells at AMP, after it is determined why they are there and the status of the wells, Eng. Holley will draft a note to be added to the plan to alert future home purchasers of why the wells are on the AMP property.

Reduction in Letter of Credit for Covington Ridge Phase II

The developer asked for a reduction in the letter of credit for Phase II to an amount of \$54,737.10. Eng. Holley approved the request; the letter of credit expires on July 31, 2003.

E. Stoley moved to approve the reduction in the letter of credit to an amount of \$54,737.10.

S. DiPaula seconded. The motion carried with all in favor.

Zoning Officer/BOCA Inspector

Complaints were received from three neighbors regarding 26 Plank Road that they are placing trash out too early for collection and there is trash on the ground. Neighbor Charles Kreiner was present to say cat litter was dumped out along the curb on two occasions and nothing was done in response to his complaint and now the litter has been pushed over onto his property by snowplows. Council said since the dumping occurred along a State road that PennDOT could be called and if there is a witness the property owner could be fined for littering. Jeff Keating was asked to drive by the property periodically to check for violations. A letter

was sent to the property owner to not place trash out for collection too early and that the debris in the yard should be removed.

Complaints were also received about Grim's Glass on Hill Street. Portions of the complaints were referred to the Solicitor.

Sol. Rehmeyer will see if we can limit late night deliveries to Grim's Glass.

As to the barking dog problem brought before Council last month, it was discovered the Borough does not have a barking dog ordinance. A draft ordinance was attached to the Solicitor's report. The secretary was directed to send a copy of the proposed ordinance to the owners of the kennel on Kratz Road for their comments.

Jeff Keating was asked to respond in writing to each complainant outlining the resolution of the complaints. He was also asked to give a status report each month as to the number of complaints received during the month and a copy of the specific complaint is to be given to Council. Jeff was asked to make a report as to the resolution of each complaint and the status of the resolution. The goal is to keep written complaints to a minimum and to take care of a complaint before it escalates to that point.

OTHER REPORTS

Water & Sewer – Richard R. Buchanan

New Wells

The meeting with DEP and the Susquehanna River Basin Commission held on February 14 was productive with both agencies agreeing to a compromise. Both agencies agreed that if final grading is accomplished within the next few months, they would waive the seeding and vegetation requirement. Paul Miller submitted a pump test plan to be approved by both agencies. SRBC hopes to approve the plan at their June meeting with DEP approving shortly thereafter. The permit has already been advertised. The developer will prepare an as-built plan as to how the springs were tied together.

Sewer Flows

The Trout Run pump station could not keep up with flows from the rain and the melting snow. Televising will be done in the Trout Run area. The Public Works Department will be using a smoke test to determine inflow and the two pumps at the station will be tested for performance. A letter will be sent to the residents who use the Trout Run pump station to alert them sump pumps are not to be connected to the sanitary sewer system.

Wellhead Protection

The next meeting will be on Wednesday, April 16 at 9:00 a.m. Kathy Horvath from DEP will be in attendance. She will review the plan before it is submitted to DEP.

Sewer System Enforcement Officer

B. Sweitzer said New Freedom's enforcement officer quit and Brian said his department would like to do the work in-house. He will meet with Scott DePoe tomorrow morning.

Sewer Deduct Meter Ordinance

E. Stoley moved to adopt Ordinance 2002-03 to allow sewer deduct meters under certain conditions.

C. Skoglund seconded. Roll call vote:

DiPaula	yes, in favor
Noble	yes, in favor
Ridgely	yes, in favor
Schnabel	yes, in favor
Skoglund	yes, in favor
Stoley	yes, in favor

Sewer Deduct Meter Application

E. Stoley moved to approve the application with amendments.

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

Public Roads & Lighting – Christopher M. Skoglund

Snow Removal

B. Sweitzer reported the equipment is in good shape despite the hard winter. There are some rust issues with the two trucks used to salt the streets. Before the repairs are made, Council would like to see the repair estimate. We submitted costs to the County in hopes of getting some reimbursement from PEMA. There are two intersections with drainage problems: Woodland Drive and Main Street and East Clearview Drive and Main Street.

Council thanked Brian and his department for their commitment and dedication during all of the snow removals this winter for a job well done.

Street Sweeping

The street sweeper will be in town the week of March 31.

Public Lands & Buildings and Finance – Michael W. Ridgely

ENGINEER'S REPORT

Eng. Holley expects some bids on the two sewer pumps we are advertising for sale.

Act 339 Monies

It appears the Act 339 monies will be cut from the State's budget. The secretary faxed a letter to senators and representatives on the appropriate committees voicing our disapproval.

Pole Barn for Public Works

Eng. Holley said he put the design on hold until he hears from Council about land purchase.

SOLICITOR'S REPORT

Sign Ordinance

After the adoption last month, Sol. Rehmeier submitted a copy to the York County Planning Commission.

E. Stoley reported the zoning hearing board should be approving Giant's request for a variance but for a single sign 118 square feet on the front with two small signs saying Food and Pharmacy. The request for the side signs was dropped.

No Impact Home Occupations

Sol. Rehmeyer forwarded the ordinance to the York County Planning Commission for review. The ordinance will be adopted at the April meeting.

Public Safety, Welfare and Personnel – Salvatore A. DiPaula, Jr.

Bookkeeping Services

Kim Dettinger will be doing the bookkeeping and Velda will be on call as a back-up.

E. Stoley moved to appoint Kim Dettinger to do the bookkeeping as a private contractor at a rate of \$20.00 per hour.

S. DiPaula seconded. The motion carried with all in favor.

Pension Plan Modifications

C. Skoglund moved to proceed to amend the current retirement contract from a Deposit Administration contract to a Flexible Pension Investments contract. The second change would be to eliminate the requirement of an annuity purchase when an employee retires and the third change would be to waive the one year waiting period for a new employee to join the plan.

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

Secretary's Report – Cindy L. Bosley

Audit

The auditor is finished with the field work.

Bulky Trash

Bulky trash pickup will be Saturday, April 26.

York Area Earned Income Tax Bureau – Frederick C. Noble

In January, we received the final distribution report for the 2002 earned income taxes showing gross receipts to the Borough of \$337,152.28. A change has been made to the Local Tax Enabling Act which will change the name of the tax from “Earned Income and Net Profit Tax” to “Compensation and Net Profits Act”. Our ordinances will need to be amended.

Recreation Board/Regional Recreation – Frederick C. Noble

Appointment of Citizen Representative

F. Noble moved to appoint Anna Walters as the Citizen Representative on the SRRB.

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

SRRB

Fred attended the monthly meeting. Fred said he was not aware of many of the events held last year. The total income was \$150,000 and Fred attached a copy of the 2002 Annual Report(Draft 3) to his report.

Peer to Peer Survey

The survey will be submitted after the insertion of a comment pertaining to volunteerism to question number two.

Borough Newsletter

Fred feels the Borough should do a quarterly newsletter which will include regional recreation activities. Fred volunteered to be the author.

Request to Use Pavilion – Summer Camp

A request was received from Our Place, a registered Non Profit organization, to use the open pavilion near the basketball court early in the morning and late in the afternoon as a pick-up and drop-off point for their summer camp. They would only use the enclosed pavilion in an emergency or in the case of bad weather. More information is needed before an answer can be given.

Planning Commission/Regional Planning Commission – Eric W. Stoley

Wellhead Information for Comprehensive Plan

Information on our wellhead protection plan is needed for the comprehensive plan.

Grim's Glass – Special Exception

The zoning hearing board met last week regarding Doug Miller's request to lease office and storage space to an electrical testing business. Doug Miller could not give the Board a basis for the special exception. It was at this hearing that Doug Miller stated the pole building has been vacant since last February.

Southern Regional Police – Mayor James W. Reedy

Mayor Reedy highlighted the report for February.

UNFINISHED BUSINESS

NEW BUSINESS

COMMUNICATIONS

An invitation to the York County Builders Association April 9 open forum was received. The topic will be “Where does your municipality stand on code enforcement”. P. Schnabel will attend.

ADJOURNMENT

C. Skoglund moved to adjourn the meeting at 10:42 p.m.
E. Stoley seconded. The motion carried with all in favor.

Submitted by,

Cindy L. Bosley, Secretary