

## MINUTES

## SHREWSBURY BOROUGH COUNCIL

REGULAR MEETING

MARCH 10, 2004

PRESENT: Mayor James W. Reedy, Michael R. Caum, Frederick C. Noble, 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 Dispatch; Terri Reuter of The York Daily Record; Pete Pellissier of Troop 90; 5 Boy Scouts from Troop 90 for a merit badge

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**

Pete Pellissier of Troop 90 presented a list of renovations and upgrades that should be done at the Scout House. They are moving ahead with the Venture room and restroom renovations with reimbursement by the Borough. The total for those two rooms is about \$1,500.00. The basement walls were sealed and recently insulated. There is a drainage problem and the building still has a septic system. Council asked Sol. Rehmeyer to see if money from the recreation fee funds may be used to improve this building at the playground and to also use those funds to connect the building to the public sewer.

**APPROVAL OF MINUTES**

E. Stoley moved to approve the minutes of the February 11, 2004 meeting.

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

**APPROVAL OF EXPENDITURES AND REPORT OF ACCOUNTS**

C. Skoglund requested approval be deferred until next month.

**BILLS**

- Kimberly M. Dettinger bookkeeping services for February 16.5 hrs.  
\$360.00
- James R. Holley & Assoc. sanitary sewer inspection Presidential Heights II  
\$1,045.00; wellhead protection program \$460.00; general engineering  
\$1,290.15; Forest Lakes pump station and sanitary sewer map update  
\$382.53; sanitary sewer repairs 2003 \$140.80; emergency sewer repair m/h  
204/205 \$211.20; construction observation Deer Creek \$488.40; meeting  
with DEP/SRBC \$460.00
- Codes Enforcement February permits/inspections \$6,582.00 (\$5,865.00  
permits fees remitted to Borough)
- Harry L. McNeal, Jr., Esq. Anchor Sign and Grim's Glass & Plastics  
\$1,330.00
- CGA Law Firm sewer account thru 1/31/04 \$286.00

F. Noble moved to approve payment of the above bills.

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

**SUBDIVISION AND LAND DEVELOPMENT BUSINESS****Valley View Grove Reduction in Letter of Credit**

Eng. Holley concurs the letter of credit and bond may be reduced as follows:

Letter of Credit reduced by an amount of \$159,515.00 to a balance of \$738,935.35;

Bond to be reduced by an amount of \$142,564.00 to a balance of \$111,078.10

E. Stoley moved to approve the reductions as listed above.

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

**REPORTS****Zoning, Building, Permit Officer**

### New Shopping Center

The signs that were in violation have been taken down and the remaining shields were installed, two of which are different. One light can be seen from the northbound ramp. Mike was asked to check this light.

### 233-241 N. Main St. Fence

The fences have been installed but the grading has yet to be finished.

### 502 S. Main St. Barrels in Rear of Property

The property owner removed the barrels and trash behind the property.

### Sign at N. Highland Dr. and E. Forrest Ave.

Mike checked the height of the sign and it is in compliance.

### Sight Distance Problem at 39 N. Main St. Rear

Mike checked the problem and there are mature pine trees out to the edge of the cartway and trimming the trees would not help because the trees are tall and slender. About three trees would have to be removed. Mike recommends in this case the property owner be given permission to install a hidden driveway sign at his expense.

A traffic study would have to be performed first. The Borough would purchase the sign and install it and bill the property owner.

### 214 S. Main St.

The property owner applied to the zoning hearing board for relief from the setback which may be put on hold due to a court case against the adjoining property owner. The property line is at issue.

### 35 S. Main St.

The second residential unit has been removed and the property owner will be sending the Borough a check for Codes Enforcement's time. The property is now in compliance.

### Doug Miller's Fence 123 W. Railroad Ave.

Mike met with Mr. Miller and the fence will be brought into compliance by the end of the month.

### As-built Drawings for New Shopping Center

Mike stated he and Brian had problems locating services to the new buildings because the submitted drawings are different from the actual service installations. The contractor for the new sub shop dug where the plan indicated the line should be and after several hours of digging, they decided to run another line and set a separate, second grease trap.

E. Stoley moved that Codes Enforcement not issue any permits for the new shopping center until correct as-built drawings are completed to Mike's and Brian's satisfaction.

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

## **OTHER REPORTS**

### **Water & Sewer**

#### York Water Meter Readings

Fifty of the 192 York Water meters cannot be read with our touch read gun due to meter problems (wire, meter or touchpad). The York Water Company does not repair the meters promptly and they estimate those bills. The cost to obtain readings from York Water is \$30.00 a quarter and the readings cannot be received until after the 13<sup>th</sup> of the month which would delay our billing schedule. Solutions to this problem would be: York Water will allow a second meter behind their meter for us to be able to read those meters, putting those customers on a flat rate billing until they buy a meter, or pay the \$30.00 a quarter and delay our billing.

Since all of the other customers are required to have a meter or go on a flat rate (Township customers have option of a flat rate bill) a letter will be sent to Hopewell and Shrewsbury Townships that the Borough is going to insist all the residential customers purchase a meter at their expense so we can get accurate and timely readings. We'd like their comments back before our next meeting.

### Grease Trap – Pizza Hut and Sal’s Pizza

Pizza Hut’s trap was clogged and apparently got flushed into the sewer system which caused problems and expenses at the treatment plant. Brian had been checking on Pizza Hut semi-monthly but now Pizza Hut has agreed to have their grease pumped out monthly.

Sal’s Pizza received a letter from Sol. Rehmeyer and Brian has never gotten a return phone call from the number given him by Sal’s. A letter will be sent to the property owner at this point. Brian was told he could call DEP who would do an inspection at the restaurant.

### Northbrook Lane Pump Station

Several months ago, the property was put out for bids and none were received. The property owner was given the option to buy the land for \$1,000.00 and he is interested. Brian was asked to contact Stewartstown Borough to see if they want the pump free of charge.

E. Stoley moved to authorize Brian to offer the pump to Stewartstown Borough to remove at their cost and if they are not interested, the adjoining property owner can purchase the parcel for \$1,000.00 contingent on the purchase of the property that he remove the pump station and fill in the hole as part of the agreement of sale.

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

### Permitting of New Wells

The Susquehanna River Basin Commission met today and approved 72,000 GPD for the wells with the use of spring 3 as long as the creek flow does not go below 45 GPM. The creek will need to be monitored above and below the wells for 60-90 days. At that point, a decision will be made as to whether we can close spring 3 and still draw more water from the two new wells. Monitoring will be done electronically.

### New Shopping Center Request for More EDUs

The owner of the shopping center had purchased 27 EDUs and they are using 17 now but about half of the units are still vacant and they would like to purchase five more EDUs. Before the meeting, Eng. Holley was asked to review the EDU status and he felt the EDUs request could be granted.

E. Stoley moved to approve the request for five more water and sewer EDUs for a total of 32 for the shopping center.

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

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

#### No Parking: N. Sunset Dr., N. Highland Dr. and S. Highland Dr.

York County Planning Commission recommended signs be posted to prohibit parking along the following streets:

N. Sunset Dr. from W. Forrest Ave. to W. Clearview Dr.

N. Highland Dr. from E. Forrest Ave. to E. Clearview Dr.

S. Highland Dr. from E. Forrest Ave. to Church St.

C. Skoglund moved to authorize Sol. Rehmeyer to proceed with an ordinance to prohibit the parking along the above streets.

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

#### Roads Tour

The Committee will tour the roads either April 10 or 24.

#### Tractor Trailer on Woodland Dr.

The office had a call that the tractor trailer was being parked on Woodland Dr. on a more regular basis. C. Skoglund stated he has looked for it the past week and has not seen the truck. The truck may be parked there occasionally. Chris will call the person who complained.

#### Street Sweeper

Streets will be swept the week of March 29, weather permitting.

#### Roadwork

Crack sealing will begin on W. Forrest Ave., Whitcraft Ln., Shetland Dr., Bridle Rd., Kratz Rd. and Morgan Dr. and the road specifications for Covington Dr. and Old Farm Ln. are being prepared for joint bidding with the Township. Work will not begin in the Township until after the sewer work is finished.

### Storm Sewer Work

Storm sewer work on S. Highland Dr., N. Highland Dr. and Gatewood Dr. is being bid.

### **Public Lands, Buildings and Finance** – Frederick C. Noble

#### Purchase of Land

Fred stated the neighbors have not gotten back to the Borough by the deadline so we assume they are not interested in selling a portion of their land to the Borough. Brian was given permission to begin work on building something near the salt shed for storage.

#### Tour of old Library Building

The Committee toured the building and overall it's not in bad shape but the restrooms are not ADA compliant and there are problems with the basement. Council questioned what its responsibility is for repairs to lease the building. If sold, it would be sold as is. Any lease could have the condition that repairs are part of the lease bargain.

#### Errors and Omissions Insurance

A meeting was held with the Borough's insurance agent to question if certain committee members or other appointees are covered under the Borough's E & O policy. We are waiting on a response from our agent.

### **ENGINEER'S REPORT**

#### Sewer Work Contract – Kinsley

The contracts were signed for the sewer work in Southern Farms.

### EDU Update

Eng. Holley stated the Borough has 975 EDUs unused remaining in the plant based on 2003 flows. Taking out the Township's EDUs and all Borough developed and undeveloped land we have between 25 – 50 EDUs to our good. However, the capacity in the Borough is first come, first served, it's not being held for anyone. It was estimated the Eitzert property would use 42 EDUs and they are proposing about 58 homes. Rezoning is not within the scope of the comprehensive plan plus the sewer capacity is not there. There were high flows in the plant in 2003 because of I & I, although we went from over 60% down to 55% of total flows at the plant.

## **SOLICITOR'S REPORT**

### Freedom Systems

No response was received from Sol. Rehmeyer's demand letter of last month and there was no return phone call from Dave Crist at Freedom Systems. Sol. Rehmeyer will try to speak with Dave Crist as a final resolution and if that does not succeed a letter of complaint will be sent to the Bureau of Purchasing.

### A.Grim's Glass & Plastics/Doug Miller

The Court of Common Pleas of York County supported the zoning hearing board's decision but Mr. Miller has appealed the case to the Commonwealth Court. Sol. Rehmeyer will ask the magistrate to withdraw our complaint for failure to obtain a building permit and trash on the business property. The complaints will be filed again after the Commonwealth Court makes its decision.

### Cable Franchise Agreement

There is a new regional counsel for Adelphia, Christy Holland. Sol. Rehmeyer plans to discuss with her the issues raised during prior meetings.

### New Freedom Borough Authority Sewer Bonds of 1998

Currently, different proposals are being evaluated to determine the cost effectiveness of the refinancing. Also, the intergovernmental agreement will be

changed to reflect what the current practices are relating to the sewer treatment plant.

### Uniform Construction Code

Sol. Rehmeyer presented a draft ordinance to enforce the Uniform Construction Code using the services of Codes Enforcement to be adopted next month.

### Second Sign at AAA

Their attorney submitted the zoning hearing application to Codes Enforcement to argue its right to the second sign. That hearing is scheduled for May 6.

### Definition of Family in Zoning Ordinance

The draft ordinance amends the definition for Family to include not more than four totally unrelated persons each of which are not related to any of the others by blood, marriage or adoption and makes provisions for Group Homes in the Residential zone. There is currently a group home in the R-O zone.

### Shrewsbury Commerce Park Preliminary Subdivision Approval for Water EDUs

The revised Agreement was executed allowing 32 water and sewer EDUs and that no wells may be drilled within the development.

### **Public Safety, Welfare and Personnel**

C. Skoglund noted that perhaps there may be a time in the meeting where Brian feels his presence is no longer needed and he may leave early, it's up to him.

M. Caum stated the new rescue truck is now in service.

### **Secretary's Report** – Cindy L. Bosley

The auditor finished the field work for the 2003 audit.

The York County Boroughs Association next meeting is March 25.

**York Area Tax Bureau** – Frederick C. Noble  
**Audit of Earned Income Tax List**

Dorie and Fred spent two days comparing the Tax Lists with other records and they found 123 names who probably should be on the tax records, although not obligated to pay.

The list was sent to the York Tax Bureau.

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

**Resignation of Robert Goble**

Bob Goble submitted his resignation from the Borough's recreation board. There are three vacancies now.

**Subdivision, Land Development and Zoning** – Eric W. Stoley

The Committee will be meeting with the Eitzert farm developer on Wednesday, March 31 at 7 p.m. This is for concept planning purposes only.

**Open Burning**

Information will be in the next newsletter asking for comments before our next meeting.

**Planning Commission/Regional Planning Commission** – Eric W. Stoley

**Southern Regional Police Commission** – Mayor James W. Reedy

The report for February was presented.

**UNFINISHED BUSINESS**

**NEW BUSINESS**

E. Stoley attended the Emergency Management for Elected Officials training class on February 19. He stated the EOC still needs large maps of the area.

Junior Council Person

Information was handed out on the Junior Council Person position. This will be discussed further next month.

**COMMUNICATIONS****ADJOURNMENT**

C. Skoglund moved to adjourn the meeting at 9:53 p.m.

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

Submitted by,

Cindy L. Bosley, Secretary