

MINUTES

SHREWSBURY BOROUGH COUNCIL

REGULAR MEETING

APRIL 14, 2004

PRESENT: Mayor James W. Reedy, Richard R. Buchanan, Michael R. Caum, Frederick C. Noble, Michael W. Ridgely, Peter W. Schnabel, Christopher M. Skoglund

OTHERS

PRESENT: Jeffrey L. Rehmeyer, II, Esq.; James R. Holley, P.E.; Brian L. Sweitzer, Supt. of Public Works; Herbert Daugherty of Codes Enforcement; Frank Dittenhafer; Barb Krebs of The York Dispatch; Terri Reuter of The York Daily Record; Gary LaBarre; Mike Cadden, Shrewsbury Vol. Fire Co.; Jim and Becky Fahey; Michael Iannuzzi; Brenda Terrell; Sam Albright, Scout Master

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

Frank Dittenhafer of 41 N. Main St. was present about a letter he received to remove trees in the rear of his property parallel with Highland Dr. A complaint was received about the trees blocking the sight view of a parking bt adjacent to this property and the traffic study recommended the trees be removed. Frank is willing to trim the trees along the alley side so vehicles do not brush against the branches. The sight view problem was created when a garage was torn down to make a parking lot several years ago. The right of way goes just to the edge of the tree trunks.

The property owner at 39 N. Main St. had requested a hidden driveway sign and this request will be granted – the Borough will order and install the sign and bill the property owner for the expenses. Two hidden driveways signs will be posted, one in each direction, and with the mirror installed at 39 N. Main St., and with the trimming of the trees, the problem should be resolved but will be revisited in 90 days.

There are other sight triangle problems in the Borough and when the Roads Committee tours the streets on April 24, these areas will be noted.

C. Skoglund moved that Frank trim the trees and that Brian order two signs to be posted that say hidden driveways.

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

Council stated it is not trying to undermine or second-guess Codes Enforcement; we want to work together and we still want Codes Enforcement to follow through with complaints, we are not turning our heads on this complaint, but there is historical data concerning this situation.

Jim and Becky Fahey of 65 Crosswind Dr. were present about a tree that the roots were damaged during repair of one of our utility lines. The tree is now heaving and getting worse. Brenda Terrell of 22 Crosswind Dr. was present about the same thing. The trees were planted in the right of way by the builder and after discussion, it was the consensus of Council that the tree removal should be at the expense of the property owner that the trees were in the right of way and the Borough does not want to set a costly precedent. The tree roots in the sewer line probably caused the repair to be made in the first place.

M. Caum arrived at 8:05 p.m.

A policy will be put in writing to warn homeowners of potential damage when repairs are made close to trees and that it will be their responsibility to remove a tree if it does become damaged.

A letter will be sent to the Fahays and Ms. Terrell stating Council's decision.

Mike Cadden of the Shrewsbury Vol. Fire Co. gave the first quarter fire response report. Mike also stated that most of the callouts for open burning are because of irritation to other property owners. Perhaps a time limitation could be imposed and make sure burning is done away from structures.

John and Betty Thompson of 432 N. Main St. were present about sewer capacity should they decide to sell their acreage in years to come. They have about 50 acres in the Borough. They were told the capacity is there right now, but we cannot guarantee it will be there when they are ready to develop and that the only way to make sure they have the capacity is to pay for it up front. They were told to check back every six months or so.

Gary LaBarre stated the radio club did some more work on the EOC and when the weather breaks, they need to go up on the tower for a repair. Gary also said a lock was cut up at the repeater sight and he informed Brian right away.

APPROVAL OF MINUTES

C. Skoglund moved to approve the minutes of the March 10 meeting.
F. Noble seconded. The motion carried with all in favor.

APPROVAL OF EXPENDITURES AND REPORT OF ACCOUNTS

F. Noble moved to approve the expenditures and report of accounts for January and February, 2004.
R. Buchanan seconded. The motion carried with all in favor.

BILLS

- Codes Enforcement fees for March \$2,456.50. \$2,265.00 in fees were collected and remitted to the Borough;
- D.F. Martin, White & Company auditing services for 2003 \$5,400.00
- CGA Law Firm fees relating to Douglas A. Miller, Grim's Glass \$2,255.00
- Kimberly Dettinger bookkeeping services for March \$500.00;
- James R. Holley & Assoc. Deer Creek construction observation \$2,086.51; Presidential Heights sanitary sewer inspection \$4,305.40; general engineering \$4,652.26; sewer map update, Forest Lakes pump station, EDUs \$538.15; sanitary sewer repairs 2003 \$623.60; streets 2004 \$633.20; Hanover trip for wells \$460.00; Chapter 94 report \$1,215.33

C. Skoglund moved to approve payment of the above bills.
M. Ridgely seconded. The motion carried with all in favor.

SUBDIVISION AND LAND DEVELOPMENT BUSINESS

Deer Creek Development Bond Reduction

Eng. Holley concurs with reduction request #3 to reduce the Bond by an amount of \$15,187.00 leaving a balance of \$185,239.00.

M. Ridgely moved to approve the request to reduce the Bond leaving a balance of \$185,239.00.

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

Valley View Grove Letter of Credit Reduction

Eng. Holley concurs with reduction request #4 for the Letter of Credit by an amount of \$40,600.00 leaving a balance of \$481,407.85. The bond should be reduced by an amount of \$78,937.00 leaving a balance of \$32,141.10.

M. Caum moved to approve the request to reduce the Letter of Credit and the bond.

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

REPORTS

Zoning, Building, Permit Officer – Herbert Daugherty

214 S. Main St.

The zoning hearing is on hold because of court matters filed against the property owner at 210 S. Main St.

35 S. Main St.

The property is in compliance and the owner owes fees; he is currently in the hospital.

Doug Miller's Fence

The fence has been taken down and will be reconstructed to the proper height.

Giant Shopping Center Site

Some as-builts were received and there are corrections to be made. No new permits will be issued until the corrected as-builts are received.

Uniform Construction Code Appeals Board

Shrewsbury Township is interested in a local joint appeals board or we could have our own board of three members. Codes Enforcement is recommending a \$400.00 hearing fee plus expenses and payment to the board members of \$50.00 each.

This will be discussed in the next few months after we see how the County proposes to structure a County-wide appeals board.

Complaints

Council would like to see a list of complaints that Codes Enforcement receives.

OTHER REPORTS

Water & Sewer – Richard R. Buchanan

Meter Requirement for York Water customers

New sewer customers who will be customers of the York Water Company will be required to purchase a Borough meter.

Shrewsbury Township Park – South of Constitution Ave.

The Township would like to connect to public water and sewer; based on preliminary consumption figures, the facility would need one or two EDUs. The water meter pit would have to be placed in the Borough.

Council will agree to let the site be connected to Borough water with the sewer capacity coming from the Township's capacity.

Pumphouse Wells

Necessary permits from DEP and the SRBC were received for the pumphouse wells. Hydrogeologist Paul Miller submitted a construction proposal and Eng. Holley is studying different options to satisfy our operating needs. The construction plan must be submitted to the SRBC by May 9.

Greasetraps

Sal's Pizza has still not responded about their greasetrap maintenance schedule. Sol. Rehmeyer is working with Brian. We still don't know if they are cleaning their trap.

Water Shutoff/Restoration Fee

The fee is currently \$40.00 (\$20.00 off and \$20.00 on) and charged when water is terminated for nonpayment.

F. Noble moved the fee be increased to \$125.00.

R. Buchanan seconded. When the vote was called there was a tie: three for (F. Noble, R. Buchanan and M. Caum) and three opposed (M. Ridgely, C. Skoglund and P. Schnabel).

Mayor Reedy had the option to break the tie. He stated he felt \$125.00 was excessive and voted no.

M. Ridgely then moved to increase the fee to \$80.00.

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

If water needs to be terminated for repeat offenders, the fee may be raised again.

Public Roads & Lighting – Christopher M. SkoglundRoad Work

The work in Southern farms will not be done jointly with Shrewsbury Township as they stated they do not want to go with a joint bid.

Street Light Resolutions

Four resolutions were presented for approval and signing:

Resolution #2004-5 Valley View Grove: 10 Borough-owned 70 watt, high-pressure sodium vapor lights;

Resolution #2004-2 Valley View Grove: one Met-Ed owned 100 watt high pressure sodium vapor light on W. Clearview Dr.;

Resolution #2004-4 Deer Creek Dev.: 2 Borough-owned 70 watt high pressure sodium vapor lights on Fawn Dr.

Resolution #2004-3 Northbrook Ln. and Fawn Dr.: one Med-Ed owned 100 watt high pressure sodium vapor light

C. Skoglund moved to approve the above resolutions.

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

Public Lands, Buildings and Finance – Michael W. Ridgely

Scout House Renovations

Sam Albright, Troop 90 Scout Master, was present about the renovations. The window work will need to have three quotes and B. Sweitzer volunteered to get the three quotes.

The improvements may be paid from the recreation fee funds.

New Public Works Building

Eng. Holley is working with Brian on the building to be placed near the salt shed.

Former Library Building

A tour of the building revealed no major construction problems. The Committee would like to meet with Sol. Rehmeyer to help structure a lease or a purchase. The Borough would have more flexibility if we were a landlord.

We will need to investigate if real estate taxes would need to be paid on the building, depending on the tenant.

Frank Dittenhafer stated Southern Community Services is still very much interested in leasing the building.

ENGINEER'S REPORT

Eng. Holley stated there is talk of a treatment plant to be built in the Tolna area that could possibly take some of our sewage from the Deer Creek pump station.

SOLICITOR'S REPORT

Uniform Construction Code Ordinance 2004-2

M. Ridgely moved to adopt ordinance #2004-2 to adopt the Uniform Construction Code.

C. Skoglund seconded. Roll call vote:

Buchanan	- in favor
Caum	- in favor
Noble	- in favor
Ridgely	- in favor
Skoglund	- in favor
Schnabel	- in favor

An item will be placed in the next newsletter.

Cable Franchise

Adelphia's attorney will be sending a revised version of the franchise agreement.

New Freedom Borough Sewer Bond Refinancing

This is on hold due to the resignation of their public works director.

Freedom Systems

Phone calls were traded with Dave Crist of Freedom Systems. After Sol. Rehmeyer speaks with Mr. Crist, he will update the Borough on how to proceed.

A. Grim's Glass

Mr. Miller's attorney has filed papers with the Commonwealth Court and after he files a brief in support of the land use appeal, Sol. Rehmeyer will file a response.

AAA Zoning Hearing – Second Sign

The hearing is on May 6 and Jeff Keating has been asked to attend.

Review of Definition of Family in the Zoning Ordinance

The ordinance was amended from last month's discussion and if anyone has comments, please contact Sol. Rehemyer.

Public Safety, Welfare and Personnel – Frederick C. Noble

Tax Collector Applications

The Committee will meet within the next two weeks to interview the applicants. Rick Fairbend's last day will be June 21.

Summer Help

Brian needs one more student for summer help.

Water Operator of the Year Nomination

Brian was nominated for Water Operator of the Year which will be awarded on April 22 at State College.

Secretary's Report – Cindy L. Bosley

Local Government Advisory Committee Meeting

The next meeting will be May 5.

York Area Tax Bureau – Frederick C. Noble

Recreation Board/Regional Recreation Board – Frederick C. Noble

SRRB

As a result of the joint meeting, it was decided to shut down the SRRB and form an audit and inventory committee in order to close it out. Fred volunteered to serve on that committee.

C. Skoglund moved to appoint Fred Noble to the audit and inventory committee to close down the SRRB.

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

P. Schnabel signed the letter to be sent to Andy Bobby thanking him for his service and time spent on field scheduling.

Subdivision, Land Development and Zoning

Open Burning

Several responses were received in favor of retaining open burning. Burning in a barrel is as dangerous as open burning. It was discussed to set time limitations on the length of the permit, should a permit be issued each time a person burns and should the fire chief be notified each time a person burns.

It was decided to let it go for now and Sol. Rehmeyer will prepare some revisions for review.

Planning Commission/Regional Planning Commission

Southern Regional Police Commission – Richard R. Buchanan

There was discussion on patrol time based on per capita. There is a meeting next Wednesday to discuss what expenses would be and how many officers would be let go if Glen Rock does drop out.

Buck stated legislation was passed if an officer is killed in the line of duty, his spouse and children would received his salary for the rest of their lives. Insurance is available, but it is very costly.

Buck was asked to check into the paint ball activity around town.

UNFINISHED BUSINESS

NEW BUSINESS

COMMUNICATIONS

ADJOURNMENT

C. Skoglund moved to adjourn the meeting at 11:15 p.m.

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

Submitted by,

Cindy L. Bosley, Secretary