

MINUTES

SHREWSBURY BOROUGH COUNCIL

REGULAR MEETING

JULY 12, 2006

PRESENT: Mayor James W. Reedy; Richard R. Buchanan, Michael R. Caum, Thomas D. Metz, Michel W. Ridgely, Peter W. Schnabel, and Eric W. Stoley

OTHERS

PRESENT: Craig Sharnetzka, 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; Melissa Kelly of RGS; Thom Conloy of LSC Design; Robert Katherman, Esq.; Keith Wills; Rick Pardew; Vickie Quackenbush;

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

Vickie Quackenbush of 7 McCleary Court would like to place an above-ground pool over a 20 foot storm sewer right of way. The pool will be 18 feet in diameter and 54 inches high. The storm sewer pipe is either 18 or 24 inches around and four to five feet deep. Mrs. Quackenbush said she would be willing to sign a waiver that the pool could to be removed to work on the pipe.

Council was concerned about damage to the pipe. We would want a hold harmless agreement to include damage to other properties in the event the pool needs to be drained and the agreement would be recorded to transfer to the next owner. Our solicitor would prepare the agreement but Mrs. Quackenbush was told she should consult her own attorney to review the agreement.

E. Stoley moved to allow construction of the pool within the storm sewer easement subject to a hold harmless/indemnification agreement being signed that favors the Borough in the event that damages may arise not only to the storm sewer pipe but to neighboring properties as a result of the pool in the easement. The agreement

should include a waiver of any claim against the Borough for damages that may occur to the pool including our right to remove the pool should we need to access either the storm sewer pipe or the water easement. The agreement should also contain a provision that it will be recorded to run with the property and continue in perpetuity with a current property owner, regardless whether ownership changes and as long as the pool exists within the storm sewer easement. If the pool is removed, the agreement ceases. A fence can be placed around the pool but if the fence interferes with the right to access the easement, it has to be removed. No more than three inches of land surface can be altered with a fence depth of no greater than two feet into the ground. This applies to the pool/fence in the storm sewer easement. Pool dimensions need to be supplied for the agreement.
R. Buchanan seconded.

M. Ridgely moved to amend the motion to authorize President Schnabel to execute the agreement when ready.

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

Pool construction can proceed after the agreement is signed. It was again suggested the Quackenbushs have their attorney review the agreement.

Keith Wills, of 15 Tree Hollow Drive, asked when the developer will be planting the street trees. Mike Lee stated Ryan Homes dropped off a drawing. Before the trees are planted, the property owners are to be notified.

Vacancy on Planning Commission

Keith had submitted a letter of interest for the vacancy on the Planning Commission. The ad was in the paper and posted on the website since the last Council meeting.

M. Ridgely moved to appoint Keith Wills to fill the unexpired term of Michael P. Smelgus, 7/15/08.

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

APPROVAL OF MINUTES

M. Caum moved to approve the minutes of the June 14 meeting.

R. Buchanan seconded. The motion carried with T. Metz and M. Ridgely abstaining as they were not at the June 14 meeting.

APPROVAL OF EXPENDITURES AND REPORT OF ACCOUNTS

M. Ridgely moved to approve the expenditures and report of accounts for May.
E. Stoley seconded. The motion carried with all in favor.

BILL LIST

The bill list was presented for June. General account: check numbers 7759 thru 7809; Water account: check numbers 3615 thru 3631; Sewer account: check numbers 3593 thru 3606; Highway Aid account: check number 724.

M. Ridgely moved to approve the bill list for June.
E. Stoley seconded. The motion carried with all in favor.

SUBDIVISION AND LAND DEVELOPMENT BUSINESS

A & Z Final Land Development Plan # 2006-1 Constitution Avenue

Tom Conley of Land Survey Consultants presented the final plan that now shows one entrance.

E. Stoley moved to approve the waiver to not require sidewalks for the final plan.
R. Buchanan seconded. The motion carried with all in favor.

E. Stoley moved to approve the final land development plan subject to obtaining the highway occupancy permit and posting of proper surety.
M. Ridgely seconded. The motion carried with all in favor.

Eitzert Farms Final Subdivision Plan #2006-3

The bond received today has the wrong development name on the cover sheet. Bob Katherman stated the property is settling Friday morning and he asked Council to sign the plan this evening and Eng. Holley to hold the plan for Bob to pick up Thursday and have the plan signed by the Township.

E. Stoley moved to approve the final Eitzert Farms subdivision plan subject to the previous waivers approved for the preliminary plan pertaining to sidewalks and section 509 for lots and lot sizes, acceptable bond as approved by Sol. Rehmeier and Eng. Holley.

R. Buchanan seconded. The motion carried with all in favor with M. Caum abstaining due to a professional conflict.

The home owners documents were previously approved by Sol. Rehmeier.

Heathcote Glen Bond Reduction

E. Stoley moved to reduce the bond for Heathcote Glen by an amount of \$119,173.00 leaving a balance of \$527,982.00.

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

REPORTS

Codes Enforcement – Michael Lee

Covington Ridge

The storm water problems are corrected: pipe replaced, grading done at bottom of the hill, an inlet was added, and the majority of the yards were regraded. A couple of residents wanted work done on their yards yet.

72 Brook Meadow Circle

The resident asked for another 30 day extension to complete the fence around his pool.

M. Caum moved to approve another 30 day time extension for the fence to be completed.

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

95 East Forrest Avenue Fill Dirt

Dirt has been brought onto the property which looks close to exceeding the six feet height limitation in the back plus the dirt has gone over the silt fences.

E. Stoley moved to authorize Codes Enforcement to send a letter to the property owner that no more dirt may be brought in until a land development plan has been approved.

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

Water & Sewer – Richard R. Buchanan

Keeny Well

The well was drilled to a depth of 375 feet for a yield of 130 gallons per minute. Information was submitted to the Susquehanna River Basin Commission and DEP and the next step is to redrill the boring at 14" with a 10" casing.

Sewer Line Repair

The line on Strassburg Circle is sinking. B. Sweitzer will have more information next month.

GPS Water System

We have a quote from the William F. Goodling Center for an intern to GPS our valves and hydrants. The price will also include mapping the water system on Arcview. Sol. Rehmeyer reviewed the agreement and feels it is alright to sign.

R. Buchanan moved to authorize signing the contract with the Goodling Center for an intern to do GPS work.

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

Cost of Meters

The price for the parts keeps increasing. Currently, we sell a meter for \$285.00. The MXU costs \$135.00; meter \$106.24; ¾" 90° bend \$8.79; kornerhorn \$26.30; kornerhorn check valve \$41.70; PJs \$10.00.

R. Buchanan moved to make the price for meters \$350.00.

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

Public Roads & Lighting – Eric W. StoleyPennDOT Letter Route 851

PennDOT sent us a letter about the truck signage for Railroad Borough. Triaxles or larger will not be allowed on the road.

Vibrating Plate

The 1984 vibratory plate stopped working last month and was repaired for \$70.00. A new plate costs approximately \$2,000 and will be included in the 2007 budget.

Street Trees

A policy needs to be set for when trees fall across the roadway, both State and Borough roads. B. Sweitzer was asked to come up with a policy.

Pflumm Contractors

Pflumm Contractors has made a demand for not awarding them the 2006 road contract.

Public Lands & Buildings and Finance – Michael W. Ridgely2007 Budget

The following dates will be advertised for budget meetings: October 4, October 18, November 1, November 15 and December 6 starting at 7:00 p.m. Budget information should be submitted to M. Ridgely by September 13.

M. Ridgely moved that the dates be advertised.

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

Restroom at Playground

A scout is interested in upgrading the exterior of the restroom at the playground as an Eagle Scout project. The T111 siding will be replaced and painted.

E. Stoley moved to approve the expenditure up to \$1,200.00 to renovate the exterior of the restroom.

R. Buchanan seconded. The motion carried with all in favor. Payable from recreation fee funds.

ENGINEER'S REPORT

Signage Changes

All street name signs need to be replaced with the new MUTCD signs by January, 2007. We would have to replace about a third of the town.

SOLICITOR'S REPORT

Water Tapping Fee

The ordinance will be adopted at the August meeting.

I-83 Rest Stop EDU Issues

Sol. Rehmeyer will respond to PennDOT when comments are finalized.

Community Guide

The Attorney General's office acknowledged the information sent on behalf of some of the businesses who contributed money toward the guide.

Amendment to Zoning Ordinance

The amendment to increase the maximum size of signs for non-profits will be advertised for adoption at next month's meeting.

Subdivision, Land Development and Zoning – Eric W. Stoley

The Committee held a meeting Sunday evening regarding the proposal of rezoning the TYCO/AMP property on West Clearview Drive and to discuss the buffer zone between Cardinal Drive and the back of Fawn Drive properties. The biggest concerns of the AMP neighbors were traffic, times of usage, noise and lighting.

The Committee reiterated several times at the meeting what the uses could be if rezoned Commercial and the church and sports facility no longer use the building. P. Schnabel said he is not in favor of rezoning the property and was concerned about losing tax funds since churches are non taxable. E. Stoley made the point that we have limited industrial zoning and if this parcel was eliminated we wouldn't want to be forced to create an industrial zone somewhere else in the Borough.

Council would want to see more information including a traffic study. It's possible that PennDOT may make the new owner upgrade the intersection of West Clearview Drive and North Main Street.

Public Safety, Welfare and Personnel – Michael R. Caum

Fire Lanes

Fire Chief Myers asked if the fire lanes at shopping centers can be enforced. This will be investigated.

Secretary's Report – Cindy L. Bosley

Pandemic Influenza Summit

The Secretary will attend a summit on August 15.

York Adams Tax Bureau – Thomas D. Metz

Subdivision, Land Development and Zoning - Eric W. Stoley

Buffer Zone

At the July 9 information meeting, the residents were told to see if they can work out a compromise. The residents of Cardinal Drive do not want to see the buffer zone removed. The residents were not aware that if one of the trees in the buffer zone dies whoever is maintaining the buffer must have it replaced. The Daileys still have the shed in the buffer zone. We will ask Sol. Rehmeyer to write to the Daileys' attorney for them to suggest a compromise for the Borough to consider.

Southern Regional Police – Richard R. Buchanan

Hours increased because of the carnival.

UNFINISHED BUSINESS

Resolution Regarding Cable Franchising Legislation

E. Stoley moved to adopt the Resolution regarding cable franchising legislation.
M. Caum seconded. The motion carried with all in favor.

NEW BUSINESS

Fireworks

An item will be placed in the next newsletter certain fireworks are illegal in Pennsylvania.

OTHER BUSINESS

COMMUNICATIONS

A letter was received from 4 ½ year old Paige Seiple regarding the removal of the old playground equipment at the municipal building.

ADJOURNMENT

E. Stoley moved to adjourn the meeting at 10:09 p.m.
R. Buchanan seconded. The motion carried with all in favor.

Submitted by,

Cindy L. Bosley, Secretary