

## MINUTES

### SHREWSBURY BOROUGH COUNCIL

REGULAR MEETING

SEPTEMBER 13, 2006

PRESENT: Mayor James W. Reedy, Richard R. Buchanan, Thomas D. Metz, Michel W. Ridgely, Peter W. Schnabel, and Christopher M. Skoglund

#### OTHERS

PRESENT: Jeffrey L. Rehmeyer, II, Esq.; Brian L. Sweitzer, Supt. of Public Works; E. Michael Lee of Codes Enforcement; Fred Miranda; Carol Smelgus; Miles Bortner; David Lipinski, P.E.; Keith Wills;

The regular meeting of the Borough Council convened at 7:34 p.m. in the Borough Municipal Building, 35 West Railroad Avenue with President Schnabel presiding.

#### CITIZEN'S COMMENTS

Miles Bortner of 100 Luther Drive was present as he is trying to start a Moose Lodge in the area and there will be a meeting on Sunday, September 24 at 2:00 p.m. at the municipal building.

Carol Smelgus of 121 South Main Street and owner of 60 North Main Street, representing the Friends of Shrewsbury Village, stated a representative from the Pennsylvania Downtown Center/Main Street Program will make a presentation at the invitation of the Friends of Shrewsbury Village. It would be a town meeting and the Friends of Shrewsbury Village asked for assistance in notifying residents. The Council is not endorsing the concept and does not know if it wants to be involved, but because there may be grant money, the Borough will provide the Friends of Shrewsbury Village address labels of Borough property owners for their mailing. They also have permission to use the meeting room.

John Morrell of 26 North Main Street spoke passionately against any changes proposed by visionaries who may come and go in the Village District just to promote commercial viability. The Village District is not a commercial zone. He wants his private property untouched and his civil rights protected.

Nancy Morrell of 26 North Main Street stated in the past eight years, the Village District has settled down and they have not had shoppers in their back yard or trying their front door and they want to keep it that way.

M. Ridgely stated that until a home owners association or other association is voted upon by the people in the Village District, how can the Friends of Shrewsbury Village proceed and make decisions for those living in the area. He cautioned that the Borough not be too involved.

Fred Miranda of 325 South Main Street, stated both the Borough's Planning Commission and the York County Planning Commission acted to not approve either of the proposed sign ordinance amendments. Fred stated the library had sent a letter of support but they are in a commercial zone and could have a larger sign. The meeting held by the Committee was not too well attended and only about three people stated they wanted the larger signs. The letters received by the Borough were form letters and the petitions presented by the school were not circulated door to door, but placed at the school and visitors were asked to sign. Fred wanted the Borough to be concerned how the change is being perceived and that the business owners in town are restricted to a smaller sign.

D. Lipinski arrived at 8:22 p.m.

### **APPROVAL OF MINUTES**

T. Metz moved to approve the minutes of the August 9 meeting.  
R. Buchanan seconded. The motion carried with all in favor.

### **APPROVAL OF EXPENDITURES AND REPORT OF ACCOUNTS**

M. Ridgely moved to approve the expenditures and report of accounts for July.  
C. Skoglund seconded. The motion carried with all in favor.

### **BILL LIST**

The bill list was presented for August. General account: check numbers 7873 thru 7911; Water account: check numbers 3646 thru 3659; Sewer account: check numbers 3620 thru 3633; Highway Aid account: check numbers 725 thru 727.

M.Ridgely moved to approve the bill list for August.  
T.Metz seconded. The motion carried with all in favor.

## **SUBDIVISION AND LAND DEVELOPMENT BUSINESS**

### **Valley View Grove Bond**

Keith Wills, of the home owners association, presented a list of problems with the development including the single retaining walls where residents cannot access the area behind the wall to mow. The pond is not draining out of the discharge pipe but is draining elsewhere. The HOA also needs to find out how to maintain the pond. Keith stated the HOA will not take over the pond and other public improvements until certification is received.

The developer had requested the balance of the bond be reduced to zero. Because there are some outstanding issues including street lights, retaining wall issues and concern over the pond, the bond will not be reduced.

C. Skoglund moved to deny the request to reduce the bond.  
T. Metz seconded. The motion carried with all in favor.

### **Heathcote Glen Bond Reduction**

Eng. Holley concurs the bond may be reduced by an amount of \$123,610.00 leaving a balance of \$360,505.05.

C. Skoglund moved to reduce the bond by an amount of \$ 123,610.00 leaving a balance of \$360,505.05.

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

## **REPORTS**

### **Codes Enforcement** – Michael Lee

Laurence Wirtz, of 44 Lexington Drive, has removed the pipe he installed in the creek at 46 Lexington Drive. Mike believes the problem will be resolved in a couple of weeks and there is no need to file charges. However, Mr. Wirtz has built

an addition without obtaining a permit. Footers were not inspected and there may be setback issues. Mr. Wirtz will receive a notice to comply.

### 26 Plank Road

The property owner has removed a couple of vehicles and asked for a time extension.

### Cresswell Property 46 North Main Street

Mike stated he read through the file and has asked to meet with Mr. Cresswell again to take some pictures. Mike doesn't believe the zoning hearing board's decision allows him to move into the property the way he is utilizing it and he has asked Mr. Cresswell for his permit.

### Driveway Paving Problems

There are some driveways being paved where the swale in the street is being filled in which interferes with water runoff and snow plowing. Mike gave the Secretary sample ordinances to be copied and distributed. A drawing, permit and inspections would be required.

### Water & Sewer – Richard R. Buchanan

#### Bulk Water

Prices for bulk water sales were investigated. The Borough's rate is now \$60.00 for the fill fee and \$8.00/thousand and only for Borough resident's use.

#### Wellhead Protection Meeting

The meeting will be Tuesday, October 3 at 7:00 p.m. PA Rural Water can attend.

#### Water Production

For planning purposes, we will figure the maximum well production over a set time period. Some meters were tested on-site and one meter was found to be off by 16% and was replaced. The other meter was off by 14%, was replaced and was still off by the same amount.

### Sewer Flows

The sewer flows for August are very low due to the lack of precipitation and the sewer work was completed in the Spring. The average flow in August was 658,032 gallons a day as compared to 765,065 gallons a day in August of 2005. In 1992, the average sewer flow was 677,710 gallons a day and 865 new customers were added in the last 14 years.

### Keeny Well

There is a meeting with the Susquehanna River Basin Commission on Monday, September 18 at 7:00 p.m. We will ask for an explanatory letter to follow up the letter received stating that only 19 gallons a minute will be permitted. The PA DEP declined to attend.

### Change Where Utility Bills Will be Mailed

Due to the increasing problems with rental properties where the Borough gets in the middle of who pays for what portion of the bill, the bills will be mailed to the property owner and not to the tenants. The charges are lienable and the bill should be sent to the property owner. This is standard practice in other municipalities.

R. Buchanan moved that the bills be mailed to the property owner.

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

A notice will be sent to the property owner that the landlord is responsible for payment of the bill.

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

#### Snow Plow Bid

The lowest bidder from last month was ARRC. B. Sweitzer met with the owner and the equipment is satisfactory.

C. Skoglund moved to award the snow plow contract to ARRC for \$95.00/hour.

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

#### Valley View Grove Streets

Due to the many problems in the development including the property with the detention pond that will require heavy equipment on the final wearing course, the streets in this development will not be adopted.

C. Skoglund moved to not adopt Ordinance 2006-8.

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

The streets in the Valley View Grove were not adopted and will be the responsibility of the developer for snow plowing.

#### Met Ed Resolution #2006-2 for Street Lighting in Covington Ridge II

C. Skoglund moved to adopt Resolution 2006-2 for street lighting in Covington Ridge II.

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

#### Northbrook Lane Street Light

B. Sweitzer was asked to check the street lights on Northbrook Lane past the entrance with Brook Meadow Circle as it appears dark in that area.

#### **Public Lands & Buildings and Finance** – Michael W. Ridgely

#### Approve 2007 Minimum Municipal Obligation for Pension

M. Ridgely moved to budget the amount of \$31,434.00 for 2007.

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

#### Budget Figures

M. Ridgely stated he needs budget input soon as the first meeting is October 4 at 7:00 p.m.

#### Welcome to Shrewsbury Signs

A scout wants to place two signs as an Eagle Scout Project but he is on a time deadline.

Without having more time to discuss the placement and type of sign, the Borough felt he should choose another project.

### Bids for Paving Playground Parking Lot

The following bids were received:

Yohe Paving	\$28,520.00
York Excavating	\$31,280.00
Stewart & Tate	\$31,500.80
Kinsley	\$32,807.20
Emory Peters	\$34,086.00
Pflumm	\$37,950.00
Shiloh Paving	\$38,640.00

References were checked for Yohe Paving and were favorable.

R. Buchanan moved to award the contact to Yohe Paving in the amount of \$28,520.00 and to instruct the office of James R. Holley & Assoc. to give the notice of award to the contractor and to authorize President Schnabel to sign the contract.

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

### **ENGINEER'S REPORT**

#### Inspection of Non Public Improvements

So we don't have the problem with non-public improvements like in the Valley View Grove development, the inspection of non-public improvements such as retaining walls should be delegated when the plan is approved and decide who will be inspecting what with those charges billed back to the developer. We can only bond public improvements. This should be reviewed by the Subdivision, Land Development and Subdivision Committee.

### **SOLICITOR'S REPORT**

#### Sign Amendment

Both Planning Commissions did not recommend approval of either version of the proposed ordinance amendment. They felt focus shouldn't be on the type of user when determining the size of a sign.

This will be discussed next month.

### Pflumm Contractors

A letter was sent to Pflumm Contractors' attorney that the Borough has not changed its decision in rejecting Pflumm's bid.

### Pinnacle Towers

The Bill of Sale and Termination of Ground Lease for the Woodland Drive tower was recorded; we now own the tower.

### I-83 Rest Stop EDU Issues

PennDOT has been told the Borough is conducting tests for the new wellsite and is still reviewing PennDOT's comments to the Agreement.

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

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

Southern Community Services would like to have an art show fund raiser and serve wine and cheese. They may need a special one-day temporary liquor license from the LCB.

### Alarm Permit Renewal

The Secretary was directed to send a new, blank form to property owners with alarms for the renewal. A blank form will also be part of the next newsletter.

### York County Boroughs Association Meeting

The next meeting will be on Thursday, September 28 in Fawn Grove.



**York Adams Tax Bureau** – Thomas D. Metz

Three addresses have been clarified and the back funds due the Borough will be adjusted.

**Subdivision, Land Development and Zoning****Regional Planning Commission**

A letter was sent to Shrewsbury Township asking how the Commission can function since there is now no meeting quorum since New Freedom Borough is no longer a member.

**Southern Regional Police** – Richard R. Buchanan

Buck stated the first contract negotiation meeting will be held next week. There was an armed robbery at the Rutter's in New Freedom yesterday. Lines were painted in different areas in town for speed checks, including West Clearview Drive.

**UNFINISHED BUSINESS****NEW BUSINESS****Hemler Animal Control Service Contract**

C. Skoglund moved to approve the 2007 Hemler ACS contract.  
M. Ridgely seconded. The motion carried with all in favor.

**Shrewsbury Square Shopping Center**

T. Metz brought up that the Borough may want to consider asking the owner of the shopping center if the southern exit may be closed and just made an entrance only using the light intersection as the exit. We would need to ask Kimco and the shopping center tenants.

**OTHER BUSINESS**

## **COMMUNICATIONS**

### **Ballfield/Pavilion**

A complaint was received from a group who rented the pavilion in early August that baseballs were hit from the ballfield against the pavilion and the handicapped parking area down at the pavilion. The group is afraid someone will get hurt and will probably not rent the pavilion next year.

### **Stewartstown Senior Center**

The Senior Center invited a member of Council to sit on the governing board.

### **Comcast**

An invitation was received to attend a briefing on the local franchising and the state-wide franchising bill on September 22 in York.

## **ADJOURNMENT**

C. Skoglind moved to adjourn the meeting at 10:56 p.m.

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

Submitted by,

Cindy L. Bosley, Secretary