

MINUTES

SHREWSBURY BOROUGH COUNCIL

REGULAR MEETING

SEPTEMBER 8, 2004

PRESENT: Mayor James W. Reedy, Richard R. Buchanan, Michael R. Caum, Frederick C. Noble, Peter W. Schnabel 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; Nina Paules of The York Daily Record; Brian Burger of Adelphia Cable; Lt. Thomas Butler of the Pennsylvania State Police; Chief James Childs of Southern Regional Police; Patrick Bowling of DEP; Stuart Gansell of DEP; Charles Kanetsky of EPA; Michael Cadden, Asst. Fire Chief; Dean Pearson; Gary LaBarre; Mike Hare;

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.

AWARD FROM EPA

Charles Kanetsky, Source Water Protection Team Leader from EPA and Stuart Gansell, Director of Bureau of Watershed Management for DEP presented an Award to the Borough for its impressive work on the wellhead protection program. One award from EPA is given each year. Pres. Schnabel thanked everyone involved, especially Brian Sweitzer, who spearheaded the project.

LT. BUTLER OF THE PA STATE POLICE

Lt. Butler was present at the invitation of Council to answer some questions pertaining to time spent running RADAR on non-State roads. No time was spent running RADAR in the Borough unless it was at the invitation of the Southern Regional Police Department. Some speed enforcement details were conducted last month with SRPD on Covington Drive. Twenty-two citations and five warnings were issued. Lt. Butler said his superiors have directed him to focus on the municipalities who do not have their own police forces. For the months of June, July and August, there were 286 incidents in Shrewsbury Township and 58 of

those were at Shrewsbury Commons. Overall coverage area is 330 square miles of which Shrewsbury Township calls were about 15% of the incidents. Since our local police are not able to use RADAR, Lt. Butler was asked if the State Police would regularly assist our police department to run RADAR on problem areas in the Borough, New Freedom and Glen Rock and the answer was yes, at the request of the SRPD. Chief Childs stated the speed trailer was out and police cars will be sitting on the street. Chief thanked Lt. Butler for the good mutual aid relationship his Department has with the State Police. Lt. Butler stated Commissioner Miller is in favor of the RADAR bill but Rep. Geist is keeping the bill in committee.

BRIAN BURGER OF ADELPHIA CABLE

Sol. Rehmeyer stated the franchise agreement is in its finalized form. Mr. Burger stated the main reason for rate increases is because of the network charges for bundling and for additional services in the future such as telephone service by cable. The fire company is eligible to receive free of charge the highspeed internet access. The EOC can receive free service and then we can run lines for the Borough Office and Public Works building.

M. Caum entered the meeting at 8:09 p.m.

E. Stoley moved to authorize Sol. Rehmeyer to advertise the franchise agreement ordinance for adoption at the next meeting.

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

CITIZEN'S COMMENTS

John Seitz of the York County Planning Commission applauded the Borough for the development and adoption of a wellhead protection plan. He and the other staff members are available to help implement the plan or serve on the committee.

APPROVAL OF MINUTES

E. Stoley moved to approve the minutes of the August 11 meeting.

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

At this time, President Schnabel clarified a misunderstanding from something stated in the last month's minutes about a meeting on Covington Drive. After discussion in July about speed enforcement and the lack of local RADAR use, President Schnabel stated he would be contacting representatives for their support.

R. Buchanan set up a meeting with Rep. Ron Miller and Lt. Boddington of the SRPD who met on Covington Drive as a means of demonstrating the use of a speed gun and the need for local use of RADAR. This meeting was to garner support for the pending HB 1961. President Schnabel said he also spoke with Rep. Stan Saylor who now supports the Bill as does most of the York County delegates. He also spoke with Sen. Mike Waugh about a similar bill that's in the Senate.

APPROVAL OF EXPENDITURES AND REPORT OF ACCOUNTS

E. Stoley moved to approve the expenditures and report of accounts for July, 2004.
F. Noble seconded. The motion carried with all in favor.

BILLS

The bill list was presented for August. General account: check numbers 6293 thru 6340 totaling \$68,470.23; water account: check numbers 3044 thru 3075 totaling \$30,500.85; sewer account: check numbers 2583 thru 2606 totaling \$218,925.99. Total disbursements for the month were \$317,897.07.

R. Buchanan moved to approve the bill list for August.
M. Caum seconded. The motion carried with all in favor.

SUBDIVISION AND LAND DEVELOPMENT BUSINESS

REPORTS

Codes Enforcement – Mike Lee

Weaver Precast

Mike said an information meeting is set to discuss the problems and they have hired an engineer. Some concrete in the rear of the property was removed.

Covington Ridge

The head foreman for S & A Homes was contacted about the slope in Phase II. There is a meeting set with Soil Conservation; S & A has hired an engineer to see if they meet the criteria of the plan.

Dumpster on Cardinal Drive

The dumpster has been removed.

Fred Noll, 200 Cardinal Drive

A letter was received citing deficiencies in the slope behind his home. There is an erosion and weed problem. A meeting is set with Bill Wegmann of Kimco to look at the problem.

Deer Creek Development/Buffer Zone Mowing

Kimco Realty was reminded that they are responsible for maintaining the buffer zone behind the homes on Cardinal Drive.

Dumpster at Market Square

Penn Waste was contacted about the early emptying of dumpsters. The company president responded and asked that he be called directly if it happens again.

Signs in Right of Way

A restaurant in the new shopping center is putting up signs in the right of ways.

Chick-Fil-A Grand Opening

Mike spoke with the site foreman that they need Borough approval before they make grand opening plans.

Test Wells at Chick-Fil-A

Apparently last winter, four to six test wells were drilled without approvals and were done in a zone 1 wellhead protection area. B. Sweitzer and Mike have been trying to get the driller's logs, test results, chemical analyses and the exact locations. Sol. Rehmeier was instructed to send Kimco Realty a letter that we

need that information as soon as possible or it could hold up progress on the restaurant.

OTHER REPORTS

Water & Sewer – Richard R. Buchanan

Forest Lakes Pump Station

The new impellers were installed at a cost of \$8,512.92 which increased output on each motor by 30 – 40%.

Forest Lakes Interceptor Leaks

The 2003 sewer line televising identified 11 sewer infiltration leaks in some of the piping connected to the Forest Lakes pump station. Six of the leaks have been repaired. Five leaks cannot be dug up because of the swampy areas. Sewer Specialty started repairing the problem lines with the trenchless repair sleeves and televising the repairs as budgeted. Additional leaks were found with the television camera and the extra repair cost will be \$44,000 which should eliminate about 50,000 GPD of infiltration.

E. Stoley moved to approve the expenditure of \$44,000 for the necessary repairs. R. Buchanan seconded. The motion carried with all in favor.

Wellhead Protection Work

The future project list from the August 24 meeting is: identify all gas station tank structures and make sure they meet all State and wellhead protection regulations; brochures will be sent to all water customers about the program; highway signs on I-83 and Main St. notifying travelers of the wellhead protection area will be erected with grant money; educational material for the library and the elementary school will be provided; abandon private wells in the Borough and force connection to public water; eliminate all homeowner fuel storage tanks, especially in Zone 1 of the Thompson well.

The Committee needs to discuss how to handle the mandatory water connections.

Public Roads & Lighting – Eric W. Stoley

Covington Drive

The Committee met with the two citizen representatives recently. Some of the VASCAR striping has been redone. Two 25 mph vinyl signs will be done by the Public Works Department and Children at Play signs will be erected. R. Buchanan will ask Chief Childs to rotate speed control in problem areas.

E. Stoley moved to approve the purchase of two sets of 25 mph vinyl signs and a heat gun and to have two Slow, Children at Play signs erected on Covington Drive. F. Noble seconded. The motion carried with all in favor.

If this works, some more problem streets will be done next year.

It was suggested that a Borough employee could assist the police department in the running of VASCAR. Councilman Noble volunteered to assist.

R. Buchanan stated that to track traffic enforcement time for the police report would be too cumbersome. What will show on the report is special enforcement details. They don't want to generate a lot of log activity.

The question came up can citizens take note of license plate numbers for speed violators as shown on the speed trailer.

Speed bumps/humps require a traffic study and engineering for installation and are expensive and require maintenance. They must be installed at certain distances curb to curb and would interfere with driveways, drainage and snow plowing. According to the traffic calming handbook there is a matrix that must be followed and residents must be polled with a 70% in favor return.

A letter will be sent to the Township asking for their thoughts about having the traffic signal at the former Kmart store intersection flash yellow until the center is occupied by more tenants.

A one-way for Covington Drive raises emergency response problems. The County Traffic Engineer disapproved our request for three-way stops because they consider traffic volume the same as speed control. Line painting is not an option.

Median strips and circles require a wider street and would involve the taking of land.

The Secretary was asked to write a letter to PennDOT to ask for upgrading of the traffic light at Market Square to include left-turn arrows in the east and west directions. The developer of the commercial site on Constitution Avenue is required to upgrade the light eastbound and the Borough will share the cost to upgrade westbound.

R. Buchanan was asked to see if the software in the speed trailer is able to count the number of cars that exceed the speed limit in a certain time period in order to see if the educational tactics for Covington Drive work.

Dean Pearson of Crosswind Drive stated he is very much opposed to making Crosswind Drive one way for a small section as it will create more traffic on his end of the street.

Driveway Paving Permits

B. Sweitzer stated something needs to be done to control how driveways are repaved so that macadam does not block the flow of water on the street. Ordinance number 1987-6 will be reviewed.

Public Lands, Buildings and Finance – Frederick C. Noble

Budget Meetings

Meetings will be October 20, November 3, November 17 and December 1 at 7:00 p.m.

E. Stoley moved to approve the budget meetings as stated.
M. Caum seconded. The motion carried with all in favor.

2005 Pension MMO

The amount to be budgeted is \$26,704.00.

F. Noble moved to approve the budget figure of \$26,704.00 for 2005.
M. Caum seconded. The motion carried with all in favor.

Library Meeting

The Committee will meet on September 20.

New Public Works Building Right-of-Way

Eng. Holley is working on a drawing to attach to the right-of-way agreement. Bids will be received for next month's meeting.

ENGINEER'S REPORT

Road Work Invoice

The bid was \$59,649.14 and the final cost was \$59,409.72.

R. Buchanan moved to pay the invoice to Stewart and Tate.

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

Block Grant for Stormwater Drainage Study

It's very likely the Borough will receive \$25,000 to get the base stormwater mapping completed.

Shrewsbury Commerce Park

The Township had requested the Park extend a water line at the rear of their property to serve the new Township park. According to the agreement with the Borough, the Park owner is not allowed to sell water beyond their property. If the Township asks, the Borough will consider a tap near the library for the Township's park. Sol. Rehmeyer will check our non-PUC status before any approval is given as none of the Township park property is in the Borough. No formal request has been received from the Township for water.

Fire Hydrants on Private Land

M. Caum mentioned a recent fire call at the Shrewsbury Commons Shopping Center where a lot of dirt and plastic came out of the hydrant because they are not flushed regularly. The Borough does not flush hydrants on private property.

Eng. Holley will call Chester Young at DEP and then contact the shopping center.

SOLICITOR’S REPORT

Ordinance 2004-6 Regulating Area around Fire Hydrants

E. Stoley moved to adopt ordinance 2004-6 regulating the area around fire hydrants.

M. Caum seconded. Roll call:

Buchanan	yes, in favor
Caum	yes, in favor
Noble	yes, in favor
Stoley	yes, in favor
Schnabel	yes, in favor

Open Burning Ordinance

This will be adopted next month.

Resolution 2004-03 Setting Fees for UCC Appeals

E. Stoley moved to adopt resolution 2004-03 setting the fee payable to the Borough at 20% but not less than \$200.00.

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

Meeting with New Freedom Borough Representatives

An October meeting will be set.

Grim’s Glass & Plastics

The settlement offer was sent to Mr. Miller’s attorney.

Rutter’s Farm Store Upgrade

Rutter’s at Market Square stated they will be replacing and upgrading the tanks and not expanding. Sol. Rehmeier will follow up to make sure expansion will not occur.

Public Safety, Welfare and Personnel – Frederick C. Noble**Personnel Meetings**

The Committee will meet with Brian tomorrow evening and the rest of the employees on September 28.

Secretary's Report – Cindy L. Bosley

The York County Boroughs Assn. meeting is September 23.

York Area Tax Bureau – Frederick C. Noble

We received \$257,000 and are ahead of the budgeted schedule.

Recreation Board – Frederick C. Noble

We need to decide how to spend the recreation fee funds.

Planning Commission/Regional Planning Commission – Eric W. Stoley**Open Space Plan**

The study will not benefit the Boroughs who are almost built-out. At this time, we are not interested in participating in the study.

Southern Regional Police – Richard R. Buchanan

Buck stated they are working on the budget but insurance figures will not be firm until early December. The attorney for Glen Rock Borough feels the agreement to subsidize a portion of Glen Rock's share for two years should be in writing and possibly amend the intergovernmental agreement. The part-time police clerk will be hired by New Freedom Borough and contracted by the police department

because of pension issues. District Attorney Stan Rebert will give a ruling on unconstitutional traffic stops and charges for violations found during a routine traffic stop.

UNFINISHED BUSINESS

Tax Collector Survey

A request was made for survey results from the questionnaire submitted several months ago.

NEW BUSINESS

OTHER BUSINESS

COMMUNICATIONS

An invitation was received for the dedication ceremony for the new judicial center on October 2.

ADJOURNMENT

The meeting was adjourned at 11:08 p.m.

Submitted by,

Cindy L. Bosley, Secretary