

## MINUTES

## SHREWSBURY BOROUGH COUNCIL

REGULAR MEETING

April 12, 2017

PRESENT: Mayor Peter W. Schnabel, Fred W. Arbogast, Michael Sharkey, Keith Wills, Diane Kraatz, Richard Buchanan, and Stanton Walters

## OTHERS

PRESENT: Brian L. Sweitzer, Supt. of Public Works; Jeffrey L. Rehmeyer II, Esq.; David Lipinski, P.E.; John-Paul Whitmore; Nate Kirschman; Tony Myers, Fire Chief; Police Chief James Boddington; Phil Robinson

The regular meeting of the Borough Council convened at 7:04 p.m. in the Borough Municipal Building, 35 West Railroad Avenue, with President Buchanan presiding. K. Wills entered the meeting at 7:06 p.m.

**CITIZEN'S COMMENTS**

Phil Robinson prepared a sewer study updating the 2009 study done by James R. Holley & Assoc. showing what his perception is of the future sewer use of the properties listed. He asked about the status of the third sewer agreement with New Freedom Borough. Sol. Rehmeyer gave an update of the responses received from New Freedom Borough's solicitor. Capacity: Based on its current allocation of capacity, New Freedom Borough is confident that it has sufficient capacity to transfer to Mr. Robinson's development. Site Specific: A specific location needs to be provided by the developer as New Freedom Borough is only transferring capacity for a specific project to a specific developer. Charge for capacity: New Freedom Borough is not charging a premium or other fees for the transfer and they need to know the total number of EDUs. No negotiation of phasing of EDUs will occur. Capacity for others: New Freedom Borough has no interest in transferring capacity to others. This agreement is based on a one-time transfer to Mr. Robinson for one specific project. The transfer is to go to him and if the project does not proceed, there is no capacity transfer. Other adjustments relating to sewer: One outstanding item has not been resolved. (This is an outstanding payment for past capital improvements not billed until many years later).

This matter was referred to the Water and Sewer Committee and Sol. Rehmeyer will present this at the next Municipal Authority meeting.

**APPROVAL OF MINUTES**

The minutes of the March 8, 2017, meeting were approved by unanimous consent.

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

F. Arbogast moved to approve the bill lists: general account check numbers 1399 thru 1443; water account check numbers 1169 thru 1181; sewer account check numbers 1103 thru 1116; highway aid account: check numbers 921 and 922; and to approve the financial reports for March.

D. Kraatz seconded. The motion carried with all in favor. The PLGIT balances and report of accounts for the Municipal Authority were also included.

### **APPROVAL OF PAYROLL REGISTER**

F. Arbogast moved to approve the March 13 and 27 payroll registers.

D. Kraatz and K. Wills seconded. The motion carried with all in favor.

### **SUBDIVISION & LAND DEVELOPMENT** – D. Kraatz

#### **Codes Enforcement**

#### **Southern Regional Police** – Mayor Schnabel

Mayor Schnabel reported the last Police Commission meeting was a short meeting and he feels the Smeal report is the way to proceed with how the Police Department will operate. D. Lipinski entered the meeting at 7:37 p.m.

M. Sharkey gave a brief rundown of the discussion with the New Freedom Borough Council at its meeting Monday night. There was discussion of a potential amendment to the pending motion to approve the Terms of Condition as presented (motion made, seconded and postponed at the April 3 special meeting). Some points discussed were tracking of the PPU's, which needs to be defined. It was felt that Shrewsbury Borough, in order to protect itself, would need to give notice and hold a public hearing this year, since it will not likely be allowed the "get out" clause automatically (as of December 2018) as part of the proposed amendments to the Intergovernmental Agreement. It was a general feeling that if Glen Rock Borough does leave the Department, that New Freedom Borough would be interested in continuing with Stewartstown and Shrewsbury Boroughs. Chief Boddington feels the revised 2016 numbers are a good basis to start keeping track of PPU's. Chief Boddington will work with Smeal to create a policy and procedure to track the incidents. Traffic enforcement and warnings are not considered incidents. The numbers would be reviewed at the end of 2018 and then again every two years. It was felt that the PPU percentages included in the Terms of Continuation are accurate. The consensus was that conditions on the approval motion did not appear necessary, based upon information and representations received to date and items that would be developed subsequently, so there was no motion to amend.

Accordingly, S. Walters' motion made at the April 3, 2017, meeting and seconded by K. Wills will stand with no amendments. That motion was to approve the New Freedom Borough Terms of Continuation as it stands. The motion carried with all voting in favor.

### **Water & Sewer** – Supt. Sweitzer

#### SCADA Water System

Control Systems 21 submitted the final invoice for the project, \$19,775.11. The total cost is around \$141,000.00. The final payment will not be made until as-builts and corrections are made to verify the accuracies of the Meadow and Woodlyn Well meters.

#### Essex Circle Drive

Fitz & Smith resumed the sewer project this week and will install 280 feet of sewer line from Culpepper Road to South Main Street. The road will also be restored temporarily until final restoration can be made in 2018 or 2019. The contractor will not be installing the geogrid which will lower the cost.

#### Deer Creek Interceptor Meters

Eng. Lipinski presented color graphs showing activity of the two meters. The data seems to be inconsistent with the chart recording at a lower level after one meter was recalibrated in early February. Without consistent data, Eng. Lipinski was told not to proceed until the problems are resolved.

### **Public Roads & Lighting** – M. Sharkey

#### Street Sweeping

Ross Industries began street sweeping the week of April 3 and will finish the week of April 17 due to the weather and a breakdown.

#### Road Inspection Report

Supt. Sweitzer attached the initial road inspection report; cost of road work is close to \$500,000.00. The Committee can meet to discuss problem areas and money that will be available for paving in 2018.

#### Post Office Storm Sewer Work

Frall Developers signed the right-of-way agreement and will be billed for the cost of the materials when the project is complete. Work will begin the week of April 17 or 24.

## York County Transportation Coalition Meeting

M. Sharkey reported on upcoming meetings to be held on April 20, July 20, and October 19.

### Traffic Calming

M. Sharkey stated there are two LTAP classes coming up that are a distance away and Supt. Sweitzer stated he will arrange for the traffic calming class to be held here inviting other municipalities.

### YAMPO Meeting

M. Sharkey stated he attended the last meeting and on April 25, there will be an announcement for Transportation Improvement Program guidelines and grants available that should include sidewalks.

### No Soliciting Without a Permit Signs

Supt. Sweitzer stated ten signs have been posted at the major intersections.

## **Public Lands, Buildings and Finance** – F. Arbogast

### Spring Clean Up at Park

S. Walters reported that his church and others have volunteered to work at Sweeney Park and at three Township parks on Saturday, April 22. They will spread wood carpet around the play equipment, paint ballfield foul lines and foul poles, clean off the open pavilions, and stripe the parking lot lines.

## **ENGINEER'S REPORT**

### 2017 Water Work

Columbia Gas was to have completed their field work by March 10 but when Eng. Lipinski checked, not all of the gas mains or services had been marked. The snow plowing removed most of the gas marker flags that were along the edge of the road and had to be reinstalled along with locating the mains along with the services that were still unmarked. Eng. Lipinski met with Columbia Gas on March 27 and they walked the entire project and they assured him that all mains and services would be marked by the end of the week. The survey crew started work this past Monday. The water mains and

lines will be replaced on East Linden Avenue, North Highland Drive, and South Sunset Drive.

### PennDOT Main Street Project

The survey crew is obtaining information necessary to prepare and submit the PennDOT HOPs for the related street work and the work the Borough will be performing.

### Lutheran Home Sewer – Zimmerman Building

The jurisdictional determination letter was received from the U.S. Army Corps of Engineers. Eng. Lipinski spoke with them and he is trying to figure out the best way to proceed as we will now need permits from DEP and the Army Corps to complete the project.

### Proportionate Share Report

Eng. Lipinski has completed his review and will meet with Supt. Sweitzer to coordinate his list of questions and verifications.

### Weather Station

T. Nadobny is to research units and based on the location whether power should be run to the site. The weather station will allow the coordination of rainfall events to I & I events captured by the sewer flow meters.

### Johnson Controls

Tom Conley of LSC Design is to speak with Kinsley Construction and JCI about installing the stone access drive from Route 851 to the Authority's manholes as required by the approved plan. This has not occurred.

## **SOLICITOR'S REPORT**

### Potential Liquor Referendum

This item will be on the May 16 Primary. Sol. Rehmeier was asked to see how many liquor licenses would be granted and if it is based on population.

### Constitution Avenue Post Office

The Easement Agreement to correct the stormwater problems has been recorded.

South Central York County Emergency Management Agency (SCEMA)

S. Walters moved to adopt Ordinance #2017-2 to establish a regional emergency management agency involving Glen Rock, Railroad, and Shrewsbury Boroughs and Shrewsbury Township.

K. Wills seconded. The motion carried with all in favor.

Shrewsbury Township Ordinance Requiring the Closure and Capping of Wells in the Wellhead Protection Overlay District

The Township has indicated a willingness to adopt an ordinance requiring that the use of any private well in the Shrewsbury Borough Overlay Protection District be discontinued and capped, if public water is obtained for the property. A draft has been prepared and was attached to the report. It was the consensus of Council that Sol. Rehmeyer forward the ordinance to Shrewsbury Township, and he will provide it to the Manager and Solicitor.

Stewartstown Railroad and Omega Rail Management

No response has been received from the letters sent a year ago requesting information. Past due notices arrive monthly. The one addressed to the Secretary show a zero balance due and the one addressed to Supt. Sweitzer show a balance overdue in the amount of \$1,223.03. Both are inconsistent with the prior invoice of \$1,956.00.

**Public Safety, Welfare and Personnel** – F. Arbogast and S. WaltersCPR Re-Certification

Borough employees, Council and Authority members attended a class to become certified in 2015 which expires this year. Council voted to pay \$40.00 per person for recertification.

**Secretary's Report** – C. Bosley**York Adams Tax Bureau** – M. Sharkey

An open house will be held on April 24 in York and on April 25 in Gettysburg. The next quarterly meeting is on April 24.

**Subdivision, Land Development & Zoning** – D. Kraatz**Planning Commission/Regional Planning Commission**

S. Walters attended the LGAC meeting and the York County Planning Commission will soon have a Web Mapping Application. The State is issuing marijuana growing licenses and the growers and distributors should fall into the existing zoning.

### **UNFINISHED BUSINESS**

#### **Sidewalks**

K. Wills is investigating programs and grants available for the sidewalk upgrades.

### **NEW BUSINESS**

F. Arbogast and Mayor Schnabel reported on the Managing a Professional Police Department class they, R. Buchanan and M. Sharkey attended.

### **COMMUNICATIONS**

### **ADJOURNMENT**

F. Arbogast moved to adjourn the meeting at 9:45 p.m.

S. Walters seconded. The motion carried with all in favor.

Submitted by Cindy L. Bosley, Sec.