

MINUTES

SHREWSBURY BOROUGH COUNCIL

REGULAR MEETING

August 13, 2014

PRESENT: Mayor Peter W. Schnabel, Fred W. Arbogast, Richard R. Buchanan, Carl W. Munch; Michael W. Ridgely, Michael G. Sharkey, Christopher M. Skoglund, and Eric W. Stoley

OTHERS

PRESENT: Brian L. Sweitzer, Supt. of Public Works; Jeffrey L. Rehmeyer, II Esq.; David Lipinski, P.E.; Bryan Sellers; Ronald Silbaugh; Stan Walters; Larry Zimmerman; Jon Juffe; Marc Mitzell; Stephen Mayoryk; Randy Shearer; Jason Sweeney;

The regular meeting of the Borough Council convened at 7:04 p.m. in the Borough municipal building, 35 West Railroad Avenue, with President Ridgely presiding.

CITIZEN'S COMMENTS

Bryan Sellers, Ronald Silbaugh, and Marc Mitzell were present to propose a tribute to the late Cameron Mitchell(Mitzell), who resided in Shrewsbury and went on to become a well-known actor. The Public Lands, Buildings, and Finance Committee met and came up with two solutions one of which is to place a sign at the driveway into the park near the scout house that says "Cameron Mitchell Way". The other idea was to establish a monument somewhere in the park but the maintenance and setting of a precedence was considered. Sellers, Silbaugh, and Mitzell agreed to the placement of a sign leading into the park.

C. Skoglund moved to authorize Supt. Sweitzer to present sign styles to the Mitchell supporters at a cost not to exceed \$400.00.

E. Stoley seconded. The motion carried with one opposition, C. Munch.

Stephen Mayoryk of 1 Hazelnut Court submitted a letter of interest for the Planning Commission vacancy and he was asked to introduce himself. Mr. Mayoryk was told the vacancy will be filled at the September meeting.

APPROVAL OF MINUTES

The minutes of the July 9 meeting were approved by mutual consent by those who were at that meeting.

APPROVAL OF EXPENDITURES AND REPORT OF ACCOUNTS

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

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

C. Skoglund also submitted the June and July reports for the Municipal Authority.

BILL LIST

The bill list for July was presented: General account: check numbers 12335 thru 12376;
Water account: check numbers 5208 thru 5227; Sewer account: check numbers 4837 thru 4852; Highway Aid account: none.

C. Skoglund moved to approve the bill list for July, 2014.
E. Stoley seconded. The motion carried with all in favor.

APPROVAL OF PAYROLL REGISTER

C. Skoglund moved to approve the July 7 and 21 payroll registers.
M. Sharkey seconded. The motion carried with all in favor.

SUBDIVISION & LAND DEVELOPMENT

Since the previously-approved subdivision plan for Covington Ridge Phase III still stands, that approval and existing lots must be shown on this plan.

Covington Ridge Phase III Waiver Requests

Jon Juffe and Randy Shearer, representing the developer, addressed the five waiver requests listed in Mr. Juffe's letter dated August 8, 2014:

#1 Section 505.F requiring a maximum length of cul-de-sac street of 500' and Juffe is proposing a cul-de-sac street length of 1,300 more or less

#2 Section 505.F requiring a cul-de-sac diameter of 100' and legal right of way of 120'. The developer proposes 80' and 100' respectively. (The developer withdrew this request in the letter per conversations with staff who feel the extra space is necessary. The change

is reflected on the attached preliminary plan set. (plan was submitted Friday, August 8, 2014.) Mr. Juffe confirmed this withdrawal of this waiver request.

#3 Section 506.E requiring offset distance to the nearest intersection of 800'. The developer is proposing 500' more or less.

#4 Section 303 submission of separate preliminary and final plans for subdivisions greater than 5 lots. The developer withdrew this request in the letter and is following the normal process. Mr. Juffe confirmed this withdrawal of this waiver request.

#5 Section 603 sidewalks required on both sides of the street. The developer proposes no sidewalks.

There was discussion regarding the proposal for a 1,300' cul-de-sac street length as there is only one access to the proposed homes. A waiver was given for the previously-approved plan for a 1,200' cul-de-sac street but there were less homes proposed. This plan is for 22 homes. Council recently approved a smaller subdivision north of Plank Road and required a secondary access for public safety reasons.

E. Stoley moved that the plan submitted on Friday be rejected as there are over 60 comments from staff and the Planning Commission and the plan was not received in time for review. M. Sharkey seconded. There was further discussion and motion was not voted on. (By unanimous consent, the plan was tabled and will be back on the agenda for the September meeting when Council must act on the plan at that time.)

The waiver requests (#1, #3, and #5) were voted on:

#5 Sidewalks

E. Stoley moved to approve the waiver from requiring sidewalks. M. Sharkey and R. Buchanan seconded. The motion carried with one no vote, E. Stoley.

#3 Section 506.E requiring offset distance to the nearest intersection of 800' and developer proposes 500' more or less.

E. Stoley moved to approve the waiver request.
F. Arbogast seconded. The motion carried with all in favor.

#1 Section 505.F requiring a maximum length of cul-de-sac of 500'. Developer proposes a cul-de-sac street length of 1,300' more or less.

There was further discussion about using two standards for access and the recent approval of a seven lot subdivision and the requirement of two points of access for public

safety reasons. This would be a 1,300' roadway with only one access. A secondary access could be gained from Valley Road with a creek crossing but the developer doesn't want to move the Columbia Gas transmission line due to expense. Mr. Juffe stated there is a 50' easement shown on this plan for future development of the Thompson land, if developed. F. Arbogast stated that if there is a fire, with the size of the engine and tower it would affect both the residents and the emergency responders.

E. Stoley moved to grant approval of the waiver to allow a 1,300' cul-de-sac street length. M. Ridgely seconded to place the motion before Council for a vote.

The motion was not approved, with all voting no and in opposition to granting the waiver. The waiver request was denied because it did not meet the criteria of the Ordinance. The council did not find that there was unreasonable, unique or undue hardship as applied to the property. Further, the alternative proposed did not allow for equal or better results than the provisions of the Ordinance. There were safety concerns with the length of the proposed cul-de-sac including maintenance and emergency access. The previously-approved Covington Ridge Phase III had less lots, a shorter cul-de-sac, and was substantially different in other respects.

Codes Enforcement – Keith Hunnings

Ten permits were issued in July. An enforcement notice was mailed to Penn Mar Recycling about the outside storage of metals. The business will either need to re-apply to the Zoning Hearing Board or clean up the metals. Jason Sweeney of Penn Mar Recycling stated they are going to be planting some trees as screening. Keith stated someone would like to open a snowball stand at the John Deere dealership on North Main Street but he would need to file a special exception application to be considered a shopping center (secondary use) and would also need to file a land development plan. There are other alternatives for locations for this business.

Southern Regional Police Department – Richard R. Buchanan

Buck highlighted the police report for July.

Southern Police Commission By-laws

Mayor Schnabel provided the By-Laws for the Southern Police Commission to Council for its approval.

E. Stoley moved that Pres. Ridgely be authorized to sign acknowledging approval of the By-Laws.

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

Resolution #2014-2 Supporting Use of Radar

R. Buchanan moved to authorize Pres. Ridgely to sign the Resolution that supports the use of radar by the local police department.

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

Water & Sewer – Richard R. BuchananAgreement with the York Water Company

R. Buchanan met with J. T. Hand of The York Water Company regarding the agreement to provide water meter readings to the Borough and Authority. Amendments were made by J. T. Hand to satisfy the PUC and R. Buchanan was satisfied with the changes made.

R. Buchanan moved to authorize President Ridgely to sign the Agreement for Provision of providing meter readings by The York Water Company.

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

Presidential Heights Sewer Meters

R. Buchanan met with J. T. Hand from The York Water Company about the agreement to use York Water meters to bill our sewer customers. Currently, about 300 sewer customers in the Presidential Heights development have two meters, one for The York Water Company water reads and one that we read. Since we are now receiving reads from The York Water Company electronically for other areas, Supt. Sweitzer will budget meter removals for 2015. Readings would be received from The York Water Company. Eventually, The York Water Company plans to provide water to Strawberry Fields and at that time, our meters would be removed.

Public Roads & Lighting – Michael G. SharkeyCovington Ridge Phase II Speed Limits

The traffic study was performed for this development but the speed limit signs were not installed.

M. Sharkey moved that the speed limit signs be posted per the traffic study at a cost not to exceed \$1,000.00. The developer will be billed.

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

Extra Snow Plow Driver

M. Sharkey moved to authorize Sol. Rehmeyer to advertise the bids for the extra snow plow driver.

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

East Church Street and South Main Street Intersection

Motorists cannot see to pull out of East Church Street onto South Main Street especially when church services or special events are held. Supt. Sweitzer performed a sight distance study. The sight distance needed is 147 feet and the current sight distance is 78 feet. A small portion of the curb is painted yellow which would have to be extended to 147 feet to achieve adequate sight distance.

M. Sharkey moved that a traffic study be done.

R. Buchanan seconded. Supt. Sweitzer stated that he is able to perform the study. The motion was withdrawn.

Public Lands, Buildings and Finance – Christopher M. Skoglund2013 Audit

C. Skoglund moved to approve the final audit report for 2013.

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

1992 F700 Dump Truck

No bids were received last month as a result of the advertisement for bids. A second advertisement would be required. It was decided to see if the truck will pass inspection and possibly keep the truck. The truck was inspected and will need approximately \$1,500.00 of work. It needs a new fuel tank and the dump body cross members welded. The truck will continue to be used.

Pension Plan Ordinance

During the recent audit of the plan, an observation was made that an ordinance was not adopted that would have restated the plan as a result of a change made effective February 19, 2002.

C. Skoglund moved to authorize Sol. Rehmeyer to advertise the ordinance to restate the plan.

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

Playground Equipment

The cost came in around \$8,000.00 including shipping. The girl scouts will be here month. The equipment will be purchased this year and installed in 2015.

Budget Meetings

The following dates were advertised: October 2, October 9; October 30; November 13, and December 4.

Year-end Meeting

The year-end meeting will be on December 29 at 7:00 p.m.

ENGINEER'S REPORTTolna Junction Sewer Replacement

DeTraglia Excavating (\$51,400.00) should start work at the end of the month or after Labor Day.

Southern Farms Sanitary Sewer Lining

Video Pipe Services (\$241,276.00) should start work at the end of the month or after Labor Day.

95 East Forrest Avenue/AutoZone

TRG is preparing to resubmit the PennDOT highway occupancy permit application and a proposal is to make the left lane to turn left onto Mt. Airy Road shorter. It is currently over 200 feet. They are not proposing a right in or a right out only, it will be the same as the business entrances to the west. Council is not in favor of shortening the left turn lane to turn left onto Mt. Airy Road as more motorists will be turning left onto Mt. Airy Road than into the AutoZone store.

21 South Hill Street

The EDUs have not been paid for as yet and the DEP approval of the planning module has not been received.

Heathcote Glen II, Phase III

The DEP planning module has not been approved.

Johnson Controls

The DEP planning module has been received for the 23 EDUs.

Baron Matthews DEP Planning Module

The planning module will not be processed until the outstanding invoices have been paid.

Heathcote Glen Phase I Street Adoption

The Secretary reported the documents were received and processed by PennDOT. The streets will be included in the Liquid Fuels funds.

Deer Creek Pump Station Upgrade

Eng. Lipinski reported the preliminary cost to upgrade the pump station is around \$150,000.00.

Windy Hill Road Project

Carl Wink of PennDOT contacted Eng. Lipinski that the invoice sent to the Borough about three years ago is valid and it should be paid. The Borough will pay PennDOT and then PennDOT will pay the Borough for its share of the work.

SOLICITOR'S REPORT

Shrewsbury Borough Water System

Sol. Rehmyer has been corresponding with PennDOT regarding the protection of the wells near I-83 during the replacement of the large stormwater pipe that is under I-83. General specifications from PennDOT's 408 specifications were supplied along with a certificate of insurance. The contractor will need to meet with representatives of the Borough to confirm how the project would proceed and protect the Borough's interests. The research to date indicates that the work should not involve substances or actions that are likely to result in damage to the water system.

The Borough needs to be added as an insured on all policies except workman's compensation. Sol. Rehmyer will be supplied the form number required. He should also ask about an indemnification agreement holding the Borough harmless.

Pension Plan Ordinance

Sol. Rehmeyer prepared an ordinance to adopt the revised non-uniformed pension plan for employees of Shrewsbury Borough. Authorization was given for Sol. Rehmeyer to advertise the ordinance.

Snow Removal Ordinance

The proposed ordinance was fine-tuned.

E. Stoley moved to authorize Sol. Rehmeyer to advertise both the pension and snow removal ordinances.

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

Weight Restrictions on Roads

75 Pa. C.S.A. 4902(a) requires engineering and traffic studies for the imposition of weight restrictions on roads. It does provide for exemptions for local deliveries.

Public Safety, Welfare and Personnel – Fred W. Arbogast

Fire Tax

A meeting will be set shortly to start discussing how much the fire tax millage rate will be. Fire Chief Myers, Fire Company President Caruccio, and Fred met previously.

Secretary's Report – Cindy L. Bosley

Past Due Engineer/Codes Enforcement Fees

A developer has not paid two invoices outstanding since March and the Secretary gave the invoices to Sol. Rehmeyer to send a demand letter.

York Adams Tax Bureau – Michael G. Sharkey

An invitation to open houses at the Bureau had been included in the agenda packet. The Bureau does an excellent job of collecting earned income taxes at a rate just below 2%. M. Sharkey is on the finance committee and work is being started on the 2015 budget.

Subdivision, Land Development and Zoning – Eric W. Stoley

Covington Ridge III

The Secretary confirmed the plan that was before Council this evening will come back to Council at the September meeting.

Planning Commission/Regional Planning Commission – Eric W. Stoley

Robert Fisher Resignation

Robert Fisher resigned from the Planning Commission due to scheduling conflicts.

E. Stoley moved to accept Bob's resignation.

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

2015 – 2019 Consolidated Plan

A meeting will be held on August 21 regarding the York County Planning Commission's 2015 – 2019 Consolidated Plan and the 2015 Action Plan.

UNFINISHED BUSINESS

NEW BUSINESS

Issue Control Sheet

The sheet was updated accordingly.

COMMUNICATIONS

A thank you letter was received from the South Central Senior Center for the donation.

ADJOURNMENT

The meeting was adjourned at 10:04 p.m.

Submitted by Cindy L. Bosley, Sec.