

## MINUTES

## SHREWSBURY BOROUGH COUNCIL

REGULAR MEETING

December 14, 2016

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

## OTHERS

PRESENT: Brian L. Sweitzer, Supt. of Public Works; Jeffrey L. Rehmeyer, II., Esq.; David Lipinski, P.E.; John-Paul Whitmore; Nate Kirschman; Phil Robinson; James Richardson; Michael Ridgely; Tony Myers, Fire Chief; John and Lisa Bornt-Davis

The regular meeting of the Borough Council convened at 7:01 p.m. in the Borough Municipal Building, 35 West Railroad Avenue, with President Buchanan presiding.

James Richardson, local resident and artist, was present at the request of Council to receive recognition for making the 'In God we Trust' plaque on display in the Council chambers.

**CITIZEN'S COMMENTS**

Phil Robinson stated the Borough should be receiving a letter soon from New Freedom Borough regarding his request to allow some sewer capacity to pass from New Freedom Borough's share to and through Shrewsbury Borough and to the Shrewsbury Municipal Authority for use in the Township. Phil stated based on 350 GPD, New Freedom could have 500 EDUs additional and based on 250 GPD, they could have 800 EDUs for sale. K. Wills entered the meeting at 7:04 p.m.

There was concern the treatment plant needed to be upgraded. The plan is permitted for 2.25 MGD and due to strict limits from DEP for Phosphorus and Nitrogen, can only treat about 1.4 MGD. New Freedom Borough will address what additional aeration will be necessary to satisfy DEP requirements and how to regain the permitted 2.25 MGD capacity. New Freedom Borough could also be considering what it would take to have the plant permitted rate be 3.9 MGD but the maintenance would be excessive. Existing customers should not have to pay for increased maintenance.

Shrewsbury Borough wants to understand the basis for any potential excess capacity. Further, Shrewsbury Borough does not want any additional costs for the expansion of sewer capacity passed on to existing customers.

### **APPROVAL OF MINUTES**

The minutes of the November 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 1210 thru 1248; water account check numbers 1098 thru 1112; sewer account check numbers 1061 thru 1072; highway aid account: none; and to approve the financial reports for November. T. Nadobny 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 November 7 and 21 payroll registers. D. Kraatz seconded. The motion carried with all in favor.

### **SUBDIVISION & LAND DEVELOPMENT**

#### **95 East Forrest Avenue**

A revised grading plan was approved in 2014 to allow the grade to be raised slightly higher than the six feet required in the Zoning Ordinance. Council also did not want a right turn ingress/egress only and felt a shared two-way driveway would work best. The Subdivision and Land Development Committee met with the developers and their representative at their request to see if some relief could be granted in order to have this lot developed. The previous plan showed a 12% slope at the exit and retailers felt it was too steep for liability and safety concerns. An 8% slope would be acceptable and a 6% slope would be better. Fill, sloping, and landscaping could be added to raise the lot and potentially still be congruous with the adjoining property owners. A small retaining wall would be necessary in the rear. The Committee stated it would consider reviewing another revision to the grading plan.

D. Kraatz moved to allow another grading plan to be considered by Council. K. Wills seconded. The motion carried with all in favor. There was more discussion to include the driveway access points, congruency to the adjoining parcels, landscaping in the rear, and what adjustments will be necessary for grading. The Committee was asked to look at this parcel from the north side and what the neighbors to the north would see.

D. Kraatz moved that it is the recommendation of the Committee that there is a willingness to consider a revised grading plan following Section 312 of the Zoning Ordinance, considering walls in the rear, buffering, and the point of access.

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

### **Codes Enforcement**

Five building permits were issued in November. Keith's activity report was submitted and is on file.

### **Southern Regional Police** – Mayor Schnabel and R. Buchanan

The Police Commission approved the agreement with the consultant from DCED to perform a study and to provide recommendations on funding formula, manpower, efficiency of officers, and staff.

Since two municipalities stated they would be withdrawing from the Commission at the end of 2017, Bruce Merrill, New Freedom Borough Councilman, submitted a proposal to extend and amend the current police agreement for two years. In 2018, the funding would be based on 60% calls, 20% road mileage, and 20% population. In 2019, the funding would be based on 100 police response hours. The routine patrol time and response time were clarified in that routine patrol time is preventative and response time is when there is a call for service or a routine patrol initiates a response. Funding formula hours would be billed only on response time. R. Buchanan stated at the end of 2019, he still would like to see population added to the formula. The Police Commission felt the proposal is a good idea in that it buys more time in order to resolve the funding formula.

An executive session was called at 8:07 p.m. for a personnel issue. The meeting was resumed at 8:49 p.m.

The concern is the proposal does not address what happens at the end of 2019.

M. Sharkey moved to notify the other member municipalities that Shrewsbury Borough supports the Bruce Merrill proposal to provide stability of the police force and that what happens beyond the end of 2019 needs to be addressed and that we would like to see the results from the independent consultant before any further action is taken.

D. Kraatz seconded. The motion carried with all in favor.

### **Water & Sewer** – Supt. Sweitzer/T. Nadobny

#### **SCADA Project**

The Meadow, Village, and Home Wells are online and working properly and the electrician is installing conduit and wire. To date, \$54,203.09 has been spent and the total 2016 budget was \$80,000.00. The project is three quarters finished.

### Cloverdale Avenue, Lisburn Avenue, Hill Street Water Main Replacement

The project began on August 15 and H & H General Contracting is installing water services on Cloverdale and Lisburn Avenues. The work should be completed within the next two weeks.

### Essex Circle Drive Sewer/Roads Project

Fitz & Smith was the low bidder at \$325,595.50. The project started on August 26 and is shared by the Borough at 14% and the Authority at 86% of the cost. The contractor blacktopped the completed project area. Fitz & Smith will resume the pipe replacement from Culpepper Road to South Main Street in April.

### Water Rate Increase

The water rates will be increased as follows effective 1/1 – 3/31/17 billing cycle:  
Residential: fixed charge from \$40.00 to \$50.00 with a 20¢ increase per tier  
Commercial: fixed charge from \$40.00 to \$52.50 with a 15¢ increase per tier

T. Nadobny moved to approve the above new rate schedule.  
F. Arbogast seconded. The motion carried with all in favor.

### **Public Roads & Lighting** – Supt. Sweitzer/ M. Sharkey

#### Crack Sealing

The crack sealing is completed for 2016. All of the remaining material was used so new supplies will need to be ordered in 2017.

#### 201 South Main Street Truck Traffic

WalMart still has a delivery truck that is trying to navigate the intersection of South Main Street and East Church Avenue. Supt. Sweitzer has contacted different WalMart supervisors to change their delivery route. One of the recent incidents caused a disablement of 4 hours and had traffic blocked due to a blown tire. Supt. Sweitzer was asked to look into a study to restrict the tractor trailers on this street and to report back next month. Sol. Rehmeyer was also asked to send a letter to Walmart.

#### Post Office Stormwater Project

No materials have been ordered for this project. The project will begin when all agreements are finished and signed.

### North Main Street Paving Project

PennDOT notified Eng. Lipinski that all driveway changes and Linden Avenue would need a HOP. Eng. Lipinski was asked to obtain permits for all driveway changes.

### LED Lighting

M. Sharkey stated a local lighting engineer offered to speak to Council free of charge to advise about types of lighting in regard to when the Borough can change the street lighting to LED light bulbs and fixtures.

M. Sharkey moved that Mr. Good be invited to speak to Council regarding lighting recommendations.

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

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

#### Adoption of Tentative 2017 Budget

F. Arbogast moved to adopt the tentative 2017 General budget.

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

F. Arbogast moved to adopt the tentative 2017 Water budget that calls for a rate increase.

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

F. Arbogast moved to adopt the tentative 2017 Sewer budget.

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

F. Arbogast moved to adopt the tentative 2017 Highway Aid budget.

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

#### Audit Quotes for DCED Report and Financial Statements

Quotes were received from the current firm of Baker Tilly Virchow Krause, LLP as follows:

2016 audit	\$19,250.00
2017 audit	\$20,000.00
2018 audit	\$20,750.00

From SEK & Co.

2016 audit	\$ 9,950.00
2017 audit	\$10,250.00
2018 audit	\$10,550.00

F. Arbogast moved that the firm of SEK & Co. be retained to perform the next three year audits.

D. Kraatz seconded. The motion carried with all in favor.

The Authority will vote on the proposals next week.

### Loan

F. Arbogast stated he spoke with Tammy Snyder of Fulton Bank and the interest depends on when the Borough applies, there is an issuance fee of \$1,500.00, legal fees, and a fixed rate for five years. An account would need to be opened.

## **ENGINEER'S REPORT**

### Water Work

Eng. Lipinski submitted a recommendation of payment to H & H General Excavating Company in the amount of \$56,159.85. There was discussion as to whether the liquidated damages clause should come into play since the project went over the completion deadline. Given the fact that the crew was on the job site every day except for one week at our request, and the work is satisfactory, no liquidated damages will be charged.

M. Sharkey moved to approve payment to H & H General Excavating Company in the amount of \$56,159.85.

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

### Essex Circle Drive Recommendation of Payment and Change Order

Eng. Lipinski submitted a recommendation of payment to Fitz & Smith, Inc. in the amount of \$37,306.33. The Borough's share is 14%.

Eng. Lipinski presented a Change Order to extend the contract until June 30, 2017.

F. Arbogast moved to approve payment to Fitz & Smith, Inc. the amount of \$5,222.89 and to authorize President Buchanan to sign the Change Order.

T. Nadobny seconded. The motion carried with all in favor except M. Sharkey, opposed.

Tapping Fees

The new tapping fee will be \$3,156.05 based on Act 57 calculations.

T. Nadobny moved to approve the new sewer tapping fee in the amount of \$3,156.05. D. Kraatz seconded. The motion carried with all in favor. Documentation is being prepared.

Lutheran Home Sewer Zimmerman Building

SpiriTrust Lutheran representatives signed the jurisdictional determination request and all the information was sent to the U.S. Army Corps of Engineers on November 18. On November 30, Eng. Lipinski was contacted by the Corps notifying that as of October 31, additional information and forms have to accompany the jurisdictional determination. The additional forms were submitted and sent to the Corps on December 2.

Deer Creek Pump Station Wet Well Expansion

A meeting was held with a representative of DEP on November 29. Eng. Lipinski's office submitted the requested information per their comment letter and what was discussed at the meeting. DEP indicated during the November 29 meeting that the permit could be issued.

**SOLICITOR'S REPORT**Post Office Property, 50 Constitution Avenue

The owner has accepted the Borough's offer and is willing to contribute its share which is estimated to be around \$4,740.00 to cover materials. The Borough will cover labor and equipment which is estimated to be around \$3,480.00. Sol. Rehmeier's office is preparing an agreement with the property owner. The Borough engineer and Supt. Sweitzer are working on an exhibit to show the necessary right-of-way and work to be done therein.

Year-end Ordinances

Sol. Rehmeier's office has prepared the year-end tax ordinances for adoption at the year-end meeting. The Ordinance authorizing the tax collector to charge a fee for the issuance of real estate tax certifications, duplicate tax bills, receipts and fees for returned checks will also be adopted at the year-end meeting.

Act 172 of 2016, HB 1683

Sol. Rehmeier's office is in the process of analyzing the Act and implementation process.

**Public Safety, Welfare and Personnel** – F. Arbogast and S. Walters

2017 Animal Control Officer Contract

F. Arbogast moved to approve the 2017 contract with Kim Erdman.  
T. Nadobny seconded. The motion carried with all in favor.

Bonuses

F. Arbogast moved that the bonuses be given based on the schedule.  
M. Sharkey seconded. The motion carried with all in favor.

Pay Raises

F. Arbogast moved that the pay raises be given based on the amount budgeted.  
T. Nadobny seconded. The motion carried with all in favor.

EMA

S. Walters stated the EMA radios were re-programmed last week by a technician from the County.

Regional EMA

S. Walters stated a meeting was held on November 22 to discuss the joint agreement. The annual PEMA weather drill was held today to achieve storm-ready status.

**Secretary's Report** – C. Bosley

Increase Donation to Susquehannock Band

The Borough has been donating \$200.00 to the band for providing the music for the tree lighting ceremony.

T. Nadobny moved to increase the donation amount to \$300.00 for the band.  
K. Wills seconded. The motion carried with M. Sharkey abstaining.

Annual Appreciation Dinner Location



Since the Shrewsbury Volunteer Fire Hall will no longer be available for the appreciation dinner, the Secretary advised the Stewartstown Fire Hall is available and the Ladies Auxiliary will provide the meal.

**York Adams Tax Bureau** – M. Sharkey

The next meeting will be at the end of January.

**Subdivision, Land Development & Zoning** – D. Kraatz

**Planning Commission/Regional Planning Commission**

S. Walters stated there was no LGAC meeting this month.

**UNFINISHED BUSINESS**

**Sidewalk Repairs**

K. Wills is researching some funding possibilities through PennDOT.

**NEW BUSINESS**

**COMMUNICATIONS**

**ADJOURNMENT**

S. Walters moved to adjourn the meeting at 10:18 p.m.

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

Submitted by Cindy L. Bosley, Sec.