

MINUTES

SHREWSBURY BOROUGH COUNCIL

REGULAR MEETING

DECEMBER 12, 2018

PRESENT: Mayor Michael Sharkey, Fred Arbogast, Stanton Walters, Diane Kraatz, Keith Wills, Richard Buchanan, Stephen Mayoryk, Matthew Sharkey, and Mateo Vega

OTHERS

PRESENT: Brian L. Sweitzer, Supt. of Public Works; Jeffrey L. Rehmeyer II, Esq.; David Lipinski, P.E.; Nate Kirschman; Tony Myers, Fire Chief; Charlie Nass

The regular meeting of the Borough Council convened at 7:06 p.m. in the Borough municipal building, 35 West Railroad Avenue, with President Buchanan presiding.

CITIZEN'S COMMENTSEitzert Farms Reduction in Letter of Credit – Charlie Nass

A request was submitted to reduce the letter of credit by \$141,900.13 leaving a balance of \$631,539.48, which reduction was recommended by Engineer Lipinski following his analysis of the request.

S. Mayoryk moved to reduce the letter of credit by \$141,900.13 leaving a balance of \$631,539.48.

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

Supt. Sweitzer stated a few Railroad Borough residents and its engineer contacted him over the past year regarding water runoff issues involving Eitzert Farms. The Soil Conservation District has made numerous inspections with the most recent inspection being December 4 where minor erosion was found and repairs need to be corrected. A copy of the inspection report was provided to Council. The water volume to Railroad Borough is controlled by the detention pond and will not change going forward if it is operating properly.

Eitzert Farms Signing of Subdivision Plan for Lot 53 and 53-A

The plan was previously approved but not signed.

S. Walters moved that the plan be re-approved and signed by Council and held by Engineer Lipinski pending payment of all fees, including the recreation fee.

S. Mayoryk seconded. The motion carried with all voting in favor.

APPROVAL OF MINUTES

The minutes of the November 14 meeting were unanimously approved.

APPROVAL OF EXPENDITURES AND REPORT OF ACCOUNTS

F. Arbogast moved to approve the bill list for November: general account numbers 2391 thru 2427; water account: check numbers 1512 thru 1524; sewer account: check numbers 1337 thru 1347; highway aid: checks 941 and 942.

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

APPROVAL OF PAYROLL REGISTER

F. Arbogast moved to approve the November 5 and 19 payroll registers.

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

SUBDIVISION AND LAND DEVELOPMENT BUSINESS

Eitzert Farms Staff Review

Staff will meet on January 8 to review the subdivision of Lot 40 to create 40A.

Codes Enforcement

There were 3 permits issued in November.

Southern Regional Police Department – Mayor Sharkey

The Shrewsbury Township Supervisors were contacted to see if there was interest in expanding the Southern Regional Police Department to cover their area and the answer was no, that they are happy with the State Police coverage. Glen Rock Borough sent a letter that it is purchasing 7.5 PPU's for 2019 which is a little above its minimum. There were four opioid deaths in the area since Thanksgiving. The canine campaign has started with the financial goal almost being met. A street camera was used to solve a crime recently; the rail-mounted light on some guns was known to cause problems so some Glock models were changed out to alleviate the problem. Both school districts are very pleased with the School Resource Officers. R. Buchanan stated the budget committee will recommend that the Chief add just one more officer instead of two. All four municipalities will receive a rebate from the health plan reserves.

Since the Case and Keg at Exit 4 will shortly be demolished, the camera system will be relocated to the well house behind the Case and Keg. The cameras at the Mount Airy Road and Forrest Avenue signal light will send the signal back to the well house through a wireless connection. This work will be done using the Public Works time.

K. Wills entered the meeting at 7:47 p.m.

Water & Sewer – Supt. Sweitzer

Exit 4 Wellhead Protection

Gannett Fleming made the necessary corrections and changes that the Wellhead Protection Committee suggested on March 28. The changes will protect the Pumphouse Wells throughout construction. The acceptance letter will be sent to Gannett Fleming on December 14.

S. Mayoryk moved that the acceptance letter be sent to Gannett Fleming.

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

Wellhead Protection Well Inspections (Township)

Included with the packet is a list of 40 Township residents that did not schedule a well inspection and have failed initial inspections (15) and did not reschedule. The inspections were to be completed by September 30. Two private wells were properly abandoned since the home owner has water from the York Water Company.

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

Eitzert Farms Street Lighting

Engineer Lipinski spoke with Jim Good regarding the street lights. He recommended using the regular colonial fixtures with an LED bulb that the Borough would own and maintain. Met Ed would charge a lower monthly rate and the Borough could change the bulbs as needed.

F. Arbogast moved to authorize Engineer Lipinski to work with Jim Good to determine the type of street lights and LED wattages to use in the development with the Borough owning and maintaining the lights.

S. Mayoryk seconded. The motion carried with all voting in favor.

Traffic Calming

The next meeting will be on January 7 at 7:00 p.m. where the draft plan will be reviewed.

Public Lands, Buildings and Finance – F. Arbogast**2019 Tentative Budget**

General budget: no tax millage increase this year, possibly next year. The amount of \$114,209.00 is being taken from the PLGIT fund to balance the \$2,012,592.00 budget.

R. Arbogast moved to adopt the General budget as presented.

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

Water budget: no rate increase, however, the amount of \$124,885.00 is being taken from the PLGIT fund to balance the \$966,785.00 budget.

F. Arbogast moved to adopt the Water budget as presented.

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

Sewer Budget: due to being notified about a month ago at a meeting held by New Freedom Borough that major upgrades are planned for the treatment plant, sewer rates will need to be increased. The Borough plans to borrow a million dollars with a five-year payback causing the base sewer rates to increase next year from \$55.00 to \$73.00 for residential and from \$91.00 to \$120.00 for commercial and industrial with a slight increase in the tiers. There was discussion about extending the loan repayment to ten or 20 years but there is another capital project coming in a few years costing between three and five million dollars (in total and to be paid proportionately by all municipalities using the plant) where another loan will be required. The Borough is looking to borrow the funds through PENNVEST which has a lower interest rate than the local banks. It was noted that the dollar figure given us by New Freedom Borough is an estimate.

F. Arbogast moved to adopt the sewer budget as presented, with a five-year loan payback, taking \$251,998.00 from the PLGIT funds, and conditional on the Borough obtaining a million dollar loan.

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

Highway Aid budget: the amount of \$101,500.00 is being taken from the PLGIT fund to balance the \$232,000.00 budget.

F. Arbogast moved to adopt the highway aid budget as presented.

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

New Refuse Rate for 2019

The new yearly cost is \$279.00 which equates to \$69.75 a quarter. The quarterly charge will be \$70.00 to include postage and cardstock.

S. Walters moved that the quarterly refuse rate for 2019 be \$70.00 a quarter.

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

ENGINEER'S REPORT

2018 Streets Recommendations of Payment

Engineer Lipinski presented a recommendation of payment to Kinsley Construction, Inc. for South Hill Street paving project in the amount of \$84,034.60 retaining \$1,115.00 as there is a discrepancy over the quantities.

S. Walters moved to pay Kinsley Construction, Inc. the amount of \$84,034.60.

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

Engineer Lipinski presented a recommendation of payment to Kinsley Construction, Inc. for Onion Boulevard paving project in the amount of \$63,831.30 retaining \$3,923.15 as there is a discrepancy over the quantities.

S. Walters moved to pay Kinsley Construction, Inc. the amount of \$63,831.30.

S. Mayoryk seconded. The motion carried with all voting in favor.

Deer Creek Pump Station Sewer Meter Analysis

A revised draft copy was e-mailed to the Authority and Borough on Monday.

SOLICITOR'S REPORT

Apple Tree Court

The developer would like to dissolve the LLC set up for the development. The Borough is holding money in an escrow account for the development. Once the escrow is no longer needed, the assignee of the LLC would receive the remaining monies.

K. Wills moved to allow the developer to dissolve the LLC.

S. Mayoryk seconded. The motion carried with all voting in favor.

Kennel Issues

The York County Planning Commission recommended approval of the amendment at its November 20 meeting. The Borough's Planning Commission recommended the amendment be adopted. The ordinance will be advertised early next year, along with other ordinance amendments.

Refuse Contract

An Agreement of Service for Refuse and Recyclable Collection was sent to Penn Waste, which was signed, and is ready for signature this evening.

S. Mayoryk moved that the Agreement be signed.

S. Walters and D. Kraatz seconded. The motion carried with all voting in favor.

Year-end Tax Ordinances

The ordinances that will be adopted at the December 27 meeting were included with the packet.

Heathcote Glen II, Phase 3 Water Line

There is a problem with the water line not being in the right-of-way on Hastings Way, as shown by prior documents of record. The developer's attorney will be preparing updated documents in order to protect the Borough and to better inform the property owners. The developer's attorney is trying to organize the homeowners to meet and to cooperate with updated documentation.

Volunteer Service Credit Program

Solicitor Rehmeyer's office is in the process of developing tax credit forms.

Solicitation Ordinance

The Ordinance is ready to be advertised which will be done early next year.

Fireworks

The amendment to the nuisance ordinance will be advertised for adoption early next year.

Stewartstown Railroad Company

The President of the Railroad indicated that the Company would like to differentiate the fee for the services it receives and the crossings fees it desires to collect. Solicitor Rehmeyer replied

requesting information similar to what was requested from Omega Rail Management, particularly about other railroad crossing agreements in southern York County.

Sewer Issues

Solicitor Rehmeyer wrote a letter to New Freedom Borough's solicitor who did respond with a letter and accompanying documents.

Private Well Inspections in Shrewsbury Township

Solicitor Rehmeyer's office is in the process of preparing two form letters to be sent to property owners who did not comply with the Shrewsbury Township Ordinance Requiring Owners of Property located in the Borough's Wellhead zone who own a private well to have it inspected. Some have been inspected but failed to follow up with another inspection regarding any corrections.

Public Safety, Welfare and Personnel – F. Arbogast

2019 Kim Erdman Animal Control Agreement

F. Arbogast moved to approve the 2019 animal control agreement.
D. Kraatz seconded. The motion carried with all voting in favor.

Bonus Program

F. Arbogast moved that the annual bonuses be paid for 2018 based on the schedule from 2007.
S. Walters seconded. The motion carried with all voting in favor.

Secretary's Report – C. Bosley

The year-end meeting will be on Thursday, December 27 at 7:00 p.m.

York Adams Tax Bureau – M. Sharkey

There was no meeting until the end of January.

UNFINISHED BUSINESS

NEW BUSINESS

Police Management Training

R. Buchanan stated there is a training session coming up in April if John-Paul Whitmore is interested in attending.

Holiday Schedule

F. Arbogast moved to give the employees the a whole day off on December 24 and December 31 without using vacation time since the holiday is on a Monday.

F. Arbogast moved that the office and public works department be closed all day on December 24 and December 31 for 2018 only due to the holiday falling on a Monday.

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

Randy Engle Request for Legal Fee Reimbursement

A letter was received from Randy Engle asking for reimbursement of his \$250.00 legal expense relating to his disputing the Township's ordinance requiring well inspections.

The request was not granted.

Executive session

An executive session was called at 9:37 p.m. to discuss pending litigation.

The meeting was convened at 9:55 p.m.

ADJOURNMENT

S. Walters moved to adjourn the meeting at 9:56 p.m.

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

Submitted by Cindy L. Bosley, Sec.