

MINUTES

SHREWSBURY BOROUGH COUNCIL

REGULAR MEETING

June 8, 2016

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

OTHERS

PRESENT: Brian L. Sweitzer, Supt. of Public Works; Jeffrey L. Rehmeyer II, Esq.; David Lipinski, P.E.; Nate Kirschman; John-Paul Whitmore; Phil Robinson; Paul Anthony and son, Hunter (Scout)

The regular meeting of the Borough Council convened at 7:03 p.m. in the Borough Municipal Building, 35 West Railroad Avenue, with President Buchanan presiding.

CITIZEN'S COMMENTS**APPROVAL OF MINUTES**

The minutes of the May 11 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 13417 thru 13460; water account check numbers 5562 thru 5577; sewer account check numbers 5140 thru 5149; highway aid account: check number 911; and to approve the financial reports for May.

M. Sharkey 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 May 9 and 24 payroll registers.

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

SUBDIVISION & LAND DEVELOPMENT**Codes Enforcement**

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

Southern Regional Police – R. Buchanan and Mayor Schnabel

Mayor Schnabel highlighted the report through May. At the Police Commission meeting, the funding formula proposals were reviewed and now it's up to the four Council presidents if they want to have further discussions but, for now, the formula will stay the same since there was not a full agreement. Stewartstown Borough is to vote on Monday. There is a trend in municipalities that had police coverage to go with "free" State Police coverage to save money. Nate Kirschman stated there is draft legislation that is particularly aimed at municipalities such as these who had their own police or were part of a regional police and are now using State Police. He later handed out copies of the draft legislation. The radar bills are on both floors at this time.

Water & Sewer – T. Nadobny and Supt. Sweitzer

Water Project Bids

The bids were opened on June 7 for the Cloverdale Avenue, Lisburn Avenue, and South Hill Street water main and service line replacements. The following bids were received:

H & H General Excavating	\$393,489.00
Follmer Excavating	\$454,795.00
MacMor Construction	\$455,419.50
DeTraglia Excavating	\$485,350.00
Pavex, Inc.	\$495,986.00
Doli Construction	\$559,550.00

T. Nadobny moved to award the bid to H & H General Excavating in the amount of \$393,489.00 subject to submission and approval of required documents.

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

EDU Transfer from One Property to Another, Same Owner

The property at 3 South Main Street had three uses previously and the one use had a very small area of approximately six feet by 25 feet and there was a half bath as part of this area. This area is being used for storage by the retail tenant in the main downstairs area and there is another half bath ten feet away in the main area. There are three EDUs attached to this property at the current time. The same individual owns 5 South Main Street and there are currently two EDUs attached to it and there was recently three uses approved for this building, per what was there in the past. The property owner would like to transfer one of the EDUs from 3 South Main Street to 5 South Main Street. Council had no objection but the question of how to do this so there is a paper trail for the moving

EDU needs to be discussed as to how it was handled in the past. Sol. Rehmeier will discuss this with the Secretary and will report next month.

Updating Act 57 Sewer Tapping Fee Study

The last study was done in 2005 and Phil Robinson reminded Council that it should be updated and that the fee will probably increase, thereby giving the Borough and the Authority more income.

T. Nadobny moved that a cost range for the study be provided by James R. Holley & Assoc. before we commit to have the study done.

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

Additional Capacity in Borough/Authority Lines

Phil Robinson and fellow developers were present with a conceptual request that if New Freedom Borough decides to sell Phil approximately 300 sewer EDUs for use in the Deer Creek Pump station area, would the Borough be willing to discuss the additional capacity going through the lines. The Borough/Authority is preparing to place sewer flow meters in the lines to see what the current capacity looks like and if there is room for more flows. There were numerous questions raised by Council, during this meeting and previously, which will need to be addressed before this concept would move further, including whether the pump station can handle the additional flows. Further, does New Freedom Borough actually have excess capacity that it could sell? New Freedom Borough had done some infiltration and inflow work, and it was reaffirmed by Shrewsbury Borough that correcting infiltration and inflow does not necessarily create additional EDUs of capacity to sell. The consensus of Council is that it is not opposed to discussing the transfer of such additional capacity, provided that additional information can be received and is determined to be acceptable. Phil previously threatened to sue the Borough and the Authority to seek sewer capacity from them, particularly focusing on the capacity that the Borough has allocated for properties within its boundaries. Phil affirmatively stated that he does not want to proceed with such litigation but would rather work together with Shrewsbury Borough and New Freedom Borough to purchase the capacity he needs for the commercial development east of Shrewsbury Borough in Shrewsbury Township.

F. Arbogast moved to indicate that the Borough is willing to cooperate per Phil's request regarding handling sewer capacity if transferred from New Freedom Borough in accordance with the provisions of the existing agreements, conditioned upon receipt of additional information, which must be determined to be satisfactory by Shrewsbury Borough, and thereafter, the completion of the appropriate documentation.

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

Country Comfort Kennel

The meter has been read weekly since last quarter to see if the consumption is going down. It appears the kennel is back to the same usage as last year and if they keep the current pace, they will be within their allotted two EDUs.

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

Ordinance Regulating Street Openings and Excavation

M. Sharkey moved to adopt Ordinance 2016-1.

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

Traffic Signal Timing at Square

The most recent change in timing when the signal at Main Street and Forrest Avenue was taken out of the East Forrest Avenue signal loop resulted in a too short left turn phase for westbound and southbound traffic. Both left turn arrows were lengthened to 15 seconds on May 25.

Woodlyn Development Paving

Stewart and Tate began paving Woodland Drive, Spring Creek Drive, Oaklyn Circle, and Gatewood Drive on May 31st.

Future Paving and Infrastructure Projects

Supt. Sweitzer provided information on repaving Greenmount Avenue, South Sunset Drive, Cardinal Drive, Westview Drive, Circle Drive, North Highland Drive, Hill Street, East Maple Avenue, Mill Lane, and Onion Boulevard; water replacement on North Highland Drive, South Sunset Drive, and Onion Boulevard fire line and stormwater repairs would cost a minimum of \$1,217,835.00. Council will check into getting a line of credit to draw on to do the work in larger quantities to get better bids. The water and sewer work (sewer line on Westview Drive) could be done in 2017 with repaving done in 2018.

Oaklyn Circle Adoption

Oaklyn Circle was not adopted with the other streets in this development and should be adopted. Sol. Rehmeyer will coordinate with Eng. Lipinski for a center line description and ordinance preparation. There are a couple of right-of-ways that are incorrect and may be on private property.

M. Sharkey moved that Sol. Rehmyer start the process to adopt Oaklyn Circle.
K. Wills seconded. The motion carried with all in favor.

Public Lands, Buildings and Finance – F. Arbogast

Sweeney Park Ballfield

Supt. Sweitzer noticed the field had many ruts on May 17 and leagues were notified but all disputed their league's involvement. The leagues were put on notice to maintain the fields after use. T. Nadobny stated there has been better maintenance as a result of Supt. Sweitzer's e-mail to the teams.

ENGINEER'S REPORT

Essex Circle Drive Sewer/Road Restoration

The Authority also awarded the bid to Fitz & Smith in the amount of \$325,592.50. This will be a shared project between the Borough and Authority based on flows. The road needs to be resurfaced because of buckling sewer lines as part of the sewer project.

Proportionate Share Report

New Freedom Borough responded to Eng. Lipinski's questions and Council should decide how it wants to proceed. The questions were related to whether a project is a capital improvement or maintenance item. Eng. Lipinski's office is investigating the 2014 to 2015 drop in sewage flow for New Freedom Borough while Shrewsbury Borough saw an increase.

Deer Creek Pump Station Wet Well Expansion

Eng. Lipinski's office has addressed the questions from DEP and is awaiting the permit.

PennDOT form 950AA Highway Occupancy Permits

F. Arbogast moved that President Buchanan be authorize to sign the form to designate James R. Holley & Assoc. as an authorized agent to apply for highway occupancy permits on behalf of the Borough.
M. Sharkey and D. Kraatz seconded. The motion carried with all in favor.

Sidewalks and other Construction and Material Specifications

The Borough may want to consider adopting a construction material specification for items that are not addressed in the water specifications or the sanitary sewer

specifications. Items such as sidewalks, streets, compaction, backfill, drainage, curbs, lighting, trees, etc. could be addressed in a construction and material specification for the Borough. Eng. Lipinski was asked to provide generic specifications for sidewalk replacements.

SOLICITOR'S REPORT

Stewartstown Railroad and Omega Rail Management

Based on the executive session held last month with Mr. John Van Briesen, another letter was sent to Mr. McKinney at Omega Rail Management requesting answers and no response has been received. Sol. Rehmeyer will send a follow-up letter.

Eitzert Farms

The Second Amendment to the Agreement for Financial Security was signed and is in the process of being recorded.

Website ADA Compliance

The webmaster has made our website ADA compliant based on the ADA Best Practices Toolkit for State and Local Governments.

Public Safety, Welfare and Personnel – F. Arbogast

Shared EMC

The Secretary was asked to see whether Hopewell Township responded as to whether it is interested in participating in the shared EMC.

Secretary's Report – C. Bosley

Carnival Bingo Help

Council and Mayor usually help in the Bingo stand on Wednesday night at the carnival which will be June 29.

York County Boroughs Association Meeting

The next meeting is on June 23.

York Adams Tax Bureau – M. Sharkey

The next meeting will be the end of next month.

Subdivision, Land Development and Zoning - D. Kraatz

Burger King

Eng. Lipinski informed Council Two Ton plans on building a Burger King at the corner of Wolfe Road and Renaissance Drive. EDUs were reserved a long time ago. He is in the process of determining whether the four remaining EDUs will be sufficient.

Planning Commission/Regional Planning Commission – D. Kraatz

UNFINISHED BUSINESS

Unopened Alley or Walkway

There is a seven foot wide walkway/alleyway between 14 and 16 North Main Street. It is unknown who owns the alley and Sol. Rehmeyer's office was asked to perform a title search and if the Borough owns the strip, it could take steps to vacate the paper alleyway.

M. Sharkey moved to authorize Sol. Rehmeyer's office to perform a title search to determine who owns the seven foot wide by 246 feet alleyway and to take steps to vacate the land if it is owned by the Borough.

K. Wills seconded. The motion carried with D. Kraatz abstaining.

NEW BUSINESS

R. Buchanan stated a meeting was held prior to this meeting to review the budget and financial needs for projects of the Municipal Authority. Plans are being made to share the funds in the PLGIT accounts and the amount of \$210,000.00 will be given to the Authority for the Strassburg Circle project and Essex Circle Drive project. It was the consensus of Council that the funding formula for cost sharing be done based on flows for the eight sewer zones.

More discussion needs to take place as to define the headings of the accounts in PLGIT. The headings are Revenue, Capital Reserve, and Improvement.

Sidewalks/Curb/Trees

Trees are the responsibility of the property owners. Curbs are the responsibility of the Borough and sidewalks are solely the homeowners to maintain. A tour will be scheduled

and Council has a copy of the sidewalk ordinance, 2008-3. This could be a topic for the next newsletter.

COMMUNICATIONS

ADJOURNMENT

F. Arbogast moved to adjourn the meeting at 10:32 p.m.

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

Submitted by Cindy L. Bosley, Sec.