

MINUTES

SHREWSBURY BOROUGH COUNCIL

REGULAR MEETING

November 12, 2014

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

OTHERS

PRESENT: Brian L. Sweitzer, Supt. of Public Works; Jeffrey L. Rehmeier, II Esq.; David Lipinski, P.E.; Fire Chief Tony Myers; Larry Zimmerman; Nate Kirschman; Stan Walters; Phil Robinson; Eric Johnston, P.E.; Keith Hunnings of South Penn Code Consultants; John Davis; Boy Scouts and leaders; interested citizens

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

APPROVAL OF MINUTES

The minutes of the October 8 meeting were approved by mutual consent.

APPROVAL OF EXPENDITURES AND REPORT OF ACCOUNTS

The expenditures and report of accounts for October will be presented next month.

BILL LIST

The bill list for October was presented: General account: check numbers 12463 thru 12520; Water account: check numbers 5258 thru 5269; Sewer account: check numbers 4887 thru 4904; Highway Aid account: none.

E. Stoley moved to approve the bill list for October, 2014.

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

APPROVAL OF PAYROLL REGISTER

F. Arbogast moved to approve the October 13 and 27 payroll registers.
M. Sharkey and E. Stoley seconded. The motion carried with all in favor.

SUBDIVISION & LAND DEVELOPMENT

AutoZone Driveway/Grading

Two months ago, Daniel Thornton, P.E., of TRG, was present with a proposed driveway HOP plan. The applicant was asked to move the driveway further to the west so the left-turn lane would not be shortened. As a result of moving the driveway further west about 82 feet, the applicant is proposing to raise the grade another four feet for a total of ten feet from the original grade. The sides of the lot nearest Route 851 would be even with the adjoining property owners and then a retaining wall would start about half way back with a four to five foot retaining wall all the way across in the rear. The proposed AutoZone store would be another 15 feet in height which abuts a residential neighborhood. The applicant was told on more than one occasion that the prior grading plan showing six feet was all the further they could go. The proposed Autozone store is now the parcel on the left with a lower-impact, smaller store proposed for the right side of the parcel. That store would use a minimum use driveway across the lot on the left. Autozone requires a certain footprint for each store and the applicant was asked why it pursued this parcel given the physical circumstances (slope of the lot and turning lane) and zoning requirements. The two parcels to the west have successful businesses that did not require building up the grade.

E. Stoley moved to disapprove the grading plan presented this evening.
There was further discussion. Council does not want a right turn only. Council also felt that if this parcel is allowed a grade increase, the lot next door could ask for the same relief. The applicant argued that the lot can't be used effectively without raising the grade.

R. Buchanan seconded E. Stoley's motion to disapprove the grading plan. There was no vote but the applicant was asked to work with the Borough's engineer and come back with a plan making the grade as low as they can and increasing the driveway grade and decreasing the wall. The residents on Westview Drive will be invited to the meeting.

E. Stoley moved to postpone the vote until next month.
R. Buchanan seconded. The motion carried with all in favor.

Codes Enforcement – Keith Hunnings

Three permits were issued in October. Keith is still hearing about ATVs riding on the McCleary property along Plank Road from a resident of Brookview Lane. The property owner is not complaining about the ATVs. The resident is also complaining about a car alarm and allegations of oil being changed and dumped into a storm drain. Keith asked the resident to supply pictures but none have been received.

Penn Mar Recycling

The zoning hearing was held in October and the Borough will not be responding to the applicant's Memorandum of Law. The decision will be announced on December 11.

Southern Regional Police Department – R. Buchanan

There was no police report for October. The administrative assistant has retired and two part-time employees will be hired. An officer has resigned and two officers will be hired. Glen Rock Borough has given notice that it does not want its share of the budget to go beyond \$250,000.00.

Water & Sewer – R. Buchanan

Budget

Buck reported the water budget is in balance but the sewer rates may need to be increased in order to build up capital reserves.

Deer Creek Pump Seal Issue

The Public Works Department developed a problem with the sewer pump seal at the Deer Creek sewer pump station. The pump seal was stuck together like an adhesive was dumped into the system. Letters were sent to all customers of the Deer Creek Pump Station alerting them to call 911 if they see suspicious activity. A business in Chestnut Commerce pumps out a gel-like material into the sewer monthly or quarterly depending on production. The material was sampled and meets all requirements of the 1996-4 discharge ordinance. Samples were taken from another business in the same area and the lab results should be received soon. Eng. Lipinski stated he mentioned this to Gloria McCleary, who is an environmental engineer.

Tolna Junction Sewer Line Replacement

The sewer line replacement at Windy Hill Road and Tolna Junction Lane began on October 6. The work is being done parallel to the railroad tracks and a meeting was held

with the President of the Stewartstown Railroad prior to the work starting. After the project started, Omega Rail Management became involved and stated that under the License Agreement, certain procedures should have been followed. James R. Holley & Associates completed the application required under the license agreement. The work is finished but there were change orders totaling \$37,000.00 that will be disputed. The base bid amount was \$51,400.00. The Borough's share of this is 2.6% or \$1,336.40.

E. Stoley moved to pay DeTraglia Excavating 2.6% pending approval by the Municipal Authority of its share of the invoice.

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

Point of Water Connection Heathcote Glen II, Phase III

Phil Robinson was present to ask permission to install a four inch water tap on the east side of Ascot Drive (in the Borough) since the large meter pit is no longer necessary that was going to be placed on another lot where the corner was located in the Borough. Permission was granted to make the water tap on the east side of Ascot Drive where the water main runs. Each lot will have its own meter and shut off valve.

Public Roads & Lighting – Michael G. Sharkey

Mount Airy Road Shopping Center

As stated last month, there seem to be more traffic flow problems with motorists trying to make a U-turn in front of the shopping center. The traffic engineer with Pennoni Associates reviewed the right-turn only enforcement problem with the intersection and his report was included with the packets. A recommendation is to switch out the existing orange delineators with the correct white delineators, install additional white delineators in the median to the north, and to change some existing signage and add new signage. Supt. Sweitzer submitted the proposal to Gary Tipton, our PennDOT representative, to ask permission to make the changes. M. Sharkey stated it appears that the Giant food store employees park behind the shopping center so any diversion should probably be made in the front of the stores.

Woodland Drive Drainage Issue

9 Woodland Drive is still experiencing problems with runoff from the neighboring no-till farm field. A letter will be sent to the farm land owner asking him to look at the situation and to ask what can be done to correct the problem.

Woodland Drive Paving

Supt. Sweitzer measured the budgeted paving project and he does not believe much could get accomplished for \$100,000.00. The project would not cover half of Woodland Drive and should be held off until 2016.

Speed Limit Signs

A revised memorandum was received from Sol. Rehmeyer regarding guidelines for placement of speed limit signs. Shorter streets do not need a study performed and Supt. Sweitzer was asked to place signs on these roads awhile.

Extra Driver Snow Plow Agreement

M. Sharkey moved that President Ridgely be authorized to sign the Snow Plow Agreement.

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

Public Lands, Buildings and Finance –

ENGINEER'S REPORT

Southern Farms Sanitary Sewer Lining

The work continues and Eng. Lipinski recommended the partial payment of \$67,964.04 for work done to date be paid. The Borough's portion is 46% or \$31,263.45.

E. Stoley moved to pay Video Pipe Services 46% of the partial invoice contingent on the Municipal Authority approving its share.

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

Messina Highlands

Eng. Lipinski stated that he and Supt. Sweitzer are working with the developer and their engineer to reach an acceptable conclusion. The Municipal Authority has applied conditions to the project as part of the issuance of the sewage permit. Work is proceeding and Supt. Sweitzer is inspecting.

Johnson Controls

The company is moving forward as they want to break ground by the end of the year. The NPDES permit was submitted to DEP and there are over 90 comments.

SOLICITOR'S REPORT

Defined Benefit Plan Policy

A sample Defined Benefit Plan Policy was given to Sol. Rehmeyer that was provided by the Borough's investment advisor. Additional language was added to further define the purposes of the Investment Policy Statement.

PennDOT Pipe Replacement

Sol. Rehmeyer 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. PennDOT will provide a temporary construction easement and we will ensure that the Borough will be named in PennDOT's contract as an additional insured and that language be included requiring the contractor to develop a plan regarding the water facility.

Easement Agreement Self Storage, Onion Boulevard

Sol. Rehmeyer is in the process of finalizing the agreement.

Sewer Capacity

Sol. Rehmeyer sent a letter to the owner of the Stonebridge Business Park and provided notice of the Authority's excessive use of sewer capacity resolution and requested analysis of sewer EDU allocation. The owner of the Park asked that the capacity assigned to the multi-use building be allocated to the building at large, rather than the specific tenants. (No answer was given.) The owner also acknowledged that without additional capacity, certain properties within the park may not be able to be developed because they have no capacity allocated to them now.

York Water Company Agreement

The York Water Company filed the Agreement with the PUC and a Certificate of Filing was received with the original copy given to the Borough.

Public Safety, Welfare and Personnel – Fred W. Arbogast

Annual EMA Report

Coordinator Stan Walters submitted his annual EMA report. Stan stated there is a need to appoint a new Deputy Coordinator and someone is interested in that position.

Secretary's Report – Cindy L. Bosley

York Adams Tax Bureau – Michael G. Sharkey

The Bureau's budget was adopted; the next meeting is the end of January.

Subdivision, Land Development and Zoning – Eric W. Stoley

Penn Mar Recycling Zoning Hearing

The decision will be announced at the December 11 meeting.

Planning Commission/Regional Planning Commission – Eric W. Stoley

E. Stoley stated he had thought about applying for one of the vacancies for our region but decided not to apply.

Exit 4

Will Clark of the York County Planning Commission reported that since there is a change in the status of the I-83 bridge, that there could be some additional funds available. Larry Zimmerman, Fire Chief Tony Myers, Councilman Arbogast, and Councilman Stoley will serve on the community input group.

UNFINISHED BUSINESS

NEW BUSINESS

Issue Control Sheet

The sheet was updated accordingly.

COMMUNICATIONS

ADJOURNMENT

The meeting was adjourned at 9:27 p.m.

Submitted by Cindy L. Bosley, Sec.