

MINUTES

SHREWSBURY BOROUGH COUNCIL

REGULAR MEETING

APRIL 14, 2010

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

OTHERS

PRESENT: Jeffrey L. Rehmeyer, II, Esq.; James R. Holley, P.E.; Brian L. Sweitzer, Supt. of Public Works; E. Michael Lee of Codes Enforcement; Bob Dickson and two scout leaders; John and Nancy Morrell

The regular meeting of the Borough Council convened at 7:34 p.m. in the Borough Municipal Building, 35 West Railroad Avenue, with President Ridgely presiding.

CITIZEN'S COMMENTS

John Morrell, 26 North Main Street, questioned the latest Zoning Hearing Board's decision that used section 406, Lots of Record, as a way to circumvent not meeting setbacks in the Village District. John doesn't feel this is the original intent of this section and he is asking that it be clarified as some uses do require a setback in certain zones, section 600.

The Subdivision, Land Development and Zoning Committee will meet to review section 406 that is doesn't apply if specific setbacks are required for a certain use. State law continues to add a certain amount of protection for existing uses and buildings.

APPROVAL OF MINUTES

The minutes were approved by unanimous consent.

APPROVAL OF EXPENDITURES AND REPORT OF ACCOUNTS

The February expenditures and report of accounts will be deferred until next month.

BILL LIST

The bill list for March was presented. General account: check numbers 9980 thru 10033; Water account: check numbers 4321 thru 4335; Sewer account: check numbers 4163 thru 4176; Highway Aid account: check numbers 785 and 786.

C. Skoglund moved to approve the March bill list.

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

PAYROLL REGISTER

C. Skoglund moved to approve the March 9 and 23 payroll registers.

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

SUBDIVISION AND LAND DEVELOPMENT BUSINESS

Southern Regional Police Department – Richard R. Buchanan

Buck made a presentation to Glen Rock Borough last evening. Buck informed the Council that in 2009, we saw a 4.19% increase in request for services and it looks like the Borough will see another increase based on current tracking from 47% to 51% of the police services. This is mostly due to the fact that we have traffic coming and going to not only the commercial area in the Borough, but in the Township. It was suggested that another presentation be made to Shrewsbury Township and if they would come on board, that would be the time to revisit the cost sharing formula.

Codes Enforcement – E. Michael Lee

118 North Main Street Violations

Mike asked that Sol. Rehmeyer send an enforcement letter as Mike has spoken with the property owner three times. One vehicle and the large pile of logs remain in the rear and the pile of wood is still in front of the house that was for sale.

Rat Complaint

A complaint was received that rats were seen in the area of 10 Essex Circle Drive. Mike investigated and found no zoning violations but dogs are kept outside and food is left out. Letters will be sent out to the neighborhood asking that anything that could draw rats be eliminated, like dog food and feces and to keep weeds cut.

Eitzert Farms

Mike said the developer was in his office and presented a drawing that proposes to rezone the land from Residential-Agricultural (20,000 square foot lots) to Residential (9,000 square foot lots) that would increase the houses from the approved amount of 52 to 82.

Staff review was not in favor of the rezoning as it would set a precedent for other undeveloped land plus sewer capacity was allocated based on current zoning as per the comprehensive plan.

Council confirmed the land will not be rezoned.

Flag Signs

Flag signs are appearing more frequently. Mike has informed Quiznos they can have the flags for 30 days for their grand opening. Mike is working on an ordinance that will cover these flags.

Mike was asked to check the size of the signs on the new CVS building.

Water & Sewer – Richard R. Buchanan

Deer Creek Evaluations

The Department of Environmental Protection evaluated Deer Creek for the possibility of designation as a high quality cold water fishery. The Borough monitors the flows of Deer Creek to comply with our Pumphouse wells permitting requirements. This could further limit the withdrawal rate on future permits. The Susquehanna River Basin Commission cut the permit cycle from 30 years down to every 15 years plus the Borough will pay a "user fee" of \$10,000.00 yearly to the

SRBC. It should be pointed out that Shrewsbury Borough is a market place for the area. Responses will be given by the April 16 deadline.

5 Golden Circle Sewer Charge Theft

The Public Works Department identified a meter that was intentionally by-passed while investigating meter problems. The property changed ownership in June, 2009, and there is no way to charge the money back as it's a grey area when the previous owner stopped living there.

Wellhead Protection Meeting

Devin Knaub presented a plan for a gun shop at 60 East Forrest Avenue which will be in a detached converted garage that has no water or sewer in the building. The property is located in a Zone 2, Shrewsbury Township. Mr. Knaub proposes to sell firearms and ammunition. Cleaning solution is in aerosol cans. The Wellhead Protection Committee did not believe the use would be harmful to our water sources.

Water Utility Concerns

DEP will raise permit fees and develop a user fee for all bottled water and community water systems. Shrewsbury Water will pay \$10,000.00 per year starting in 2011. Rep. Ron Miller is checking into this proposal. It's possible that if one of the committees makes a recommendation, it becomes a regulation without a vote.

New Freedom Capital Projects

New Freedom Borough has notified us of capital projects in the amount of \$108,500.00. Our share is 61% and the work needs to be done to meet effluent requirements. These items need to be budgeted and not just proposed during the year if it is known during the budgeting process. Eng. Holley and Brian Sweitzer met with New Freedom Borough officials to go over the cost sharing report.

Water Rates

The recent water rate increase seems to be sufficient.

Public Roads & Lighting – Eric W. Stoley

Street Sweeper

The street sweeper finished April with a total of 75 hours at a cost of \$6,000.00.

Street Inspection

B. Sweitzer performed a street inspection and compiled a list of streets that need some crack sealing done. The streets that could use repaving are: Bridle Road, North Highland Drive, Onion Boulevard, Circle Drive, Woodland Drive and West Linden Avenue.

Street Light Upgrades

Under Act 129, electric suppliers need to conserve energy and, as a result, there are 195 street lights that need to be converted from mercury vapor cobra heads to sodium vapor bulbs. All of the Borough-owned lights have the new sodium vapor bulbs. We need to ask to be put on the list for replacement. Also, Met Ed's practice is to replace using 100 watt sodium vapor bulbs and the Borough will ask for 150 watt bulbs for better lighting.

M. Ridgely moved to contact Met Ed to be put on the list for replacement bulbs and to ask for the 150 watt sodium vapor bulbs.

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

Act 167 Stormwater Management Plan

The York County Planning Commission is developing a new stormwater management plan and the model ordinance will be completed by June. The ordinance will address quality and quantity stormwater issues. Our current ordinance is from 1992. We may have to treat runoff at the sewer treatment plant.

Public Lands & Buildings and Finance – Christopher M. Skoglund

Snow Removal

The amount of \$7,500.00 was budgeted for extra snow removal driver and \$16,135.00 was spent from account 432.100 from the Highway Aid account.

C. Skoglund moved that \$11,135 be reimbursed by reserve general funds to the Highway Aid account.

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

Reimbursement was requested from PEMA for the two large snow storms.

Designation of Agent Resolution for PEMA Reimbursement

E. Stoley moved that Michael W. Ridgely be designated to execute documents on behalf of the Borough for snow storm reimbursement.

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

Scout House Pole Building

The grant deadline to spend the \$15,000.00 was extended until June 30, 2011. The building will be a 20' x 30' pole building now because of the electric line. Thirteen trees need to be removed along with the stumps. The site needs to be prepped and fill dirt brought in. Water and sewer need to be installed along with a sidewalk. The extra expenses come to around \$17,000.00. The scouts will pay some toward the project and they volunteered to remove the felled trees and rent a grinder to remove the pine tree stumps.

The Committee will meet with the Scout leaders and Brian to determine who will do what work and come up with a time frame and itemized expenses so we know when the pole building can be put out for bid.

ENGINEER'S REPORT

Windy Hill Road Box Culvert Replacement

Kinsley Construction will be doing the work which came in \$24,000.00 more than estimated. Eng. Holley's office is looking into the cost of the by-pass pumping and the cost to excavate and backfill which was also higher. It's unknown at this time how PennDOT will split the cost and Jim will report more next month.

CVS Turn Lane

The left-turn arrow will be functional on April 19 and the developer knows he cut the loops on South Main Street and Constitution Avenue.

Mapping

Eng. Holley showed the mapping obtained through the County at a cost of \$380.00, which includes the external hard drive, and will be used as part of the Southern Farms water line replacement project. Eng. Holley proposed having student interns place the water and sewer and storm water lines on the software and he will get back with a price to have that done at next month's meeting. This mapping is for Borough use only and can't be put on the website.

SOLICITOR'S REPORT

Wellhead Protection in Shrewsbury Township

The Township's solicitor suggested the Township adopt a stand-alone ordinance similar to the one the Borough adopted and also suggested an agreement evidencing such intergovernmental cooperation and shifting more onto the Borough as far as hearings and enforcement.

Annual Renewal of Use Certificates

Sol. Rehmeyer provided Mike Lee with a revised version of the ordinance and a sample application. The documents decrease the language in the ordinance but allow flexibility to the Borough to adjust the application moving forward including failure of a property owner to maintain fire suppression systems through the application process.

Flood Plain Ordinance Provisions

The Borough adopted the Flood Plain Ordinance before the September deadline and FEMA updated its suggested language at the end of 2009.

Shrewsbury Center Buffer

The property owner on Cardinal Drive to the rear of 12 Fawn Drive is agreeable that five evergreen trees behind 12 Fawn Drive's deck do not have to be replaced under the original buffer agreement since her property already has an evergreen buffer. She is willing to sign the agreement that will carry through to future property owners.

One Call Now Service Agreement

Efforts to negotiate the One Call Now Services Agreement were successful and the Agreement had changes that were made to it.

Groundwater Rule Compliance

B. Sweitzer was able to get a good price on chlorine analyzers through the PA COSTARS program along with group purchasing done with Stewartstown, New Freedom and Glen Rock Boroughs at a cost of \$3,100.00 per unit. The units are approved by DEP.

Sol. Rehmeyer reviewed the warranty.

E. Stoley moved to authorize B. Sweitzer to proceed with the purchase.

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

Errors and Omissions Coverage

C. Skoglund said there is an article in the last Borough News about errors and omissions coverage and sewer capacity.

Public Safety, Welfare and Personnel – Thomas D. Metz

Secretary's Report – Cindy L. Bosley

The next Local Government Advisory Committee meeting is May 19.

York Area Tax Bureau – Thomas D. Metz

The list of Borough tax payers was reviewed and about 12 addresses were not on the list and will be added.

Subdivision, Land Development and Zoning – Eric W. Stoley

York County Rail Trail Meeting

Meetings are scheduled by the York County Rail Trail Authority to conduct a study to develop a trail plan for York County. The closest meeting for us is on May 5 at the Nixon Park Nature Center.

Planning Commission/Regional Planning Commission – Eric W. Stoley

KIOSK

The computer KIOSK will be discussed and voted on at the June 1 York County Regional Planning Commission's meeting – 7:30 p.m.

E. Stoley plans to attend.

UNFINISHED BUSINESS

NEW BUSINESS

Census Forms

C. Skoglund asked if the Borough had any problems with census forms not being delivered because of post office boxes. The forms only had physical addressed on the labels for delivery.

COMMUNICATIONS

ADJOURNMENT

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

Submitted by,
Cindy L. Bosley, Sec.