

MINUTES  
SHREWSBURY BOROUGH COUNCIL

REGULAR MEETING

APRIL 10, 2013

PRESENT: Richard R. Buchanan, Carl W. Munch, Michael G. Sharkey, Christopher M. Skoglund, Eric W. Stoley, and Jason J. Traband

OTHERS

PRESENT: Brian L. Sweitzer, Supt. of Public works; Jeffrey L. Rehmeyer, II, Esq.; David Lipinski, P.E.; Keith Hunnings of South Penn Code Consultants; Larry Zimmerman; Ann Flynn;

The regular meeting of the Borough Council convened at 7:32 p.m. in the Borough Municipal Building, 35 West Railroad Avenue, with Vice President Buchanan presiding.

**CITIZEN COMMENTS**

Ann Flynn, of 15670 Magnolia Drive, was present regarding a one day liquor event (dance) at the Shrewsbury Fire Hall which would include a dance as a fundraiser toward the required upgrade to the dams in the Forest Lakes development. The Forest Lakes Water Association is classified as a 501(c) non-profit organization. The Borough had acknowledged an event for the Fire Company in 2011 which did not occur. This is not an approval to sell or provide the alcohol, since the Borough is a dry community, just an acknowledgement of the special event which will benefit and improve the community at large.

M. Sharkey moved to adopt Resolution 2013-3 to acknowledge the special event. E. Stoley seconded. The motion carried with all in favor.

**APPROVAL OF MINUTES**

The minutes of the March 13, 2013, meeting were approved by unanimous consent by those who were at the meeting.

**APPROVAL OF EXPENDITURES AND REPORT OF ACCOUNTS**

C. Skoglund moved to approve the March expenditures and report of accounts. J. Traband and E. Stoley seconded. The motion carried with all in favor.

## **BILL LIST**

The bill list for March was presented: General account: check numbers 11581 thru 11618; Water account: check numbers 4921 thru 4945; Sewer account: check numbers 4607 thru 4626; Highway Aid: check number 867.

C. Skoglund moved to approve the March bill list.

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

## **PAYROLL REGISTER**

C. Skoglund moved to approve the March 4 and 18 payroll registers.

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

## **SUBDIVISION AND LAND DEVELOPMENT BUSINESS**

### 95 East Forrest Avenue

#### Traffic Study:

E. Stoley reviewed the traffic study prepared by TRG for the proposed Auto Zone.

E. Stoley moved to approve the traffic study done by TRG dated December, 2012.

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

#### Domestic Well and Monitoring Wells:

The domestic well was finally located and all wells were closed by Springfield Contractors and inspected by B. Sweitzer on Tuesday. The proper paperwork was done that will be submitted to DEP. Coordinates were also taken.

#### Clean Fill Issue:

A letter was sent by Sol. Rehmeyer regarding the clean fill for 95 East Forrest Avenue. Two samples were taken and certain heavy metals, including lead, were not included in the testing. Eng. Lipinski notified Johnston & Associates they need to test for the metals. This soil is in the median strip of I-83 in Maryland. About 5,000 yards of material will need to be brought on site. The results from the two tests are rejected. Since this fill will be going in a Zone 2 of the wellhead protection area as well as a conservation zone, additional testing needs to be done on the fill that will be coming to 95 East Forrest

Avenue including the following: multiple tests to be done no less than every 500 linear feet (ten test locations) at multiple depths, every 18 inches, to be done in accordance with DEP infill policy to include heavy metals, certification that the dirt tested will be coming to this site, no infill to be brought on site until after these test results are reviewed by Council at the May 8 meeting.

E. Stoley moved to reject the two test results and that further testing be done under Eng. Lipinski's guidance to include: multiple tests to be done no less than every 500 linear feet (ten test locations) at multiple depths, every 18 inches, to be done in accordance with DEP infill policy to include heavy metals, certification that the dirt tested will be coming to this site, no infill to be brought on site until after these test results are reviewed by Council at the May 8 meeting.

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

Sol. Rehmyer will send a letter to Johnston & Associates.

### **Southern Regional Police Department** – Richard R. Buchanan

Buck highlighted the February police report. He stated the meeting with Stewartstown Borough went very well and the next step is for Stewartstown to perform an inventory with values to determine what it will bring to the Department should Stewartstown join.

### **Codes Enforcement** – Keith Hunnings

Two permits were issued in March. Keith had the following items to report:

- 1) The large clean fill dirt sign was removed at 95 East Forrest Avenue.
- 2) Keith called the owner of 116 South Main Street to tell the occupants they need to bring in the bird houses that are constantly out for sale. Since they are still on display, an enforcement notice will be sent.
- 3) Keith is working with the management company for 45 East Forrest Avenue where there are six people living with only room for four people.
- 4) Keith was asked to tell Rutter's they need to take the 'open' flags down along with a cigarette banner that's attached to the canopy.
- 5) Keith will be attending the hearings tomorrow night for the Members First Credit Union and Jungle Gym. E. Stoley will try to attend the hearing to voice Council's concern with the variances requested by Members First Credit Union. Keith will pass the concerns along if E. Stoley is not present.
- 6) Exxon gas station at the square is replacing the pumps only.
- 7) PenMar Recycling has submitted a site plan required by the conservation district.

8) Keith handled a complaint about a contractor starting too early at a new house construction site.

### Heathcote Glen II

Eng. Lipinski asked who Council would like to do inspections for the road, storm sewer, detention pond for this development. Since the road and storm sewer are in both the Township and the Borough, Council would like James R. Holley & Assoc. to inspect those two items. Since the detention pond is solely in the Township, the Township should have that work inspected. B. Sweitzer will inspect the water and sewer line installations.

### Water & Sewer – Richard R. Buchanan

#### Water Rate Increase

The increase in revenue goal was 52.4% and the actual increase the first quarter was 42.7% probably because the billing period was six days shorter. One day's usage is around 290,000 gallons per day. The goal for the sewer rate decrease was 22.8% and the actual for the first quarter was 17.5%. Overall, the rate changes look fairly good.

#### PennDOT EDU Agreement

An executive session was called at 8:38 p.m. to discuss the agreement to settle the negotiations. The meeting was resumed at 8:43 p.m.

Negotiations have been occurring since 2002 when PennDOT was notified by the Borough that the rest stop was using more than the one EDU assigned to it back in the 1970s. The agreement calls for the purchase of 24 additional water and sewer EDUs for a total of \$93,840.00 payable in two installments. It also calls for notification by the Borough if the available EDUs fall below 50 with PennDOT being allowed to purchase 15 additional EDUs. There are also exhibits that require compliance with applicable laws.

E. Stoley moved to approve the agreement with PennDOT to settle the negotiations that have been occurring since 2002 regarding the purchase of additional water and sewer EDUs.

M. Sharkey seconded. The motion carried with all in favor. The agreement was signed by Vice Chairman Buchanan and the Secretary.

#### Letter of Resignation

Harry Wolf submitted his letter of resignation from the Municipal Authority.

E. Stoley moved to honor the request with regrets.

J. Traband seconded. The motion carried with all in favor.

#### Non-metered Letter for Sewer Customers

A letter went out to the 21 sewer flat rate customers informing them the flat rate will increase to \$335.00 because of the new rate structure and one resident sent a letter of protest.

#### Smith Brothers Groundwater Spill

A report was received from United Environmental Services, Inc. that was sent to our hydrogeologist. The report shows the spill will not affect the Meadow Well. The 72 hour pump test did not draw the Meadow Well or the monitoring well down.

#### Blouse Well SRBC Test

The Susquehanna River Basin Commission Blouse Well testing will begin in the next two months. SRBC will allow the Borough to pump the water into the water system during the test and not to waste it like originally intended. The rights-of-ways that were originally needed to discharge the pumped water through piping along properties most likely will not be needed.

#### Brookview Sewer Line Replacement

Kinsley Construction completed the pipe replacement in the Brookview Meadows development. The 385 feet of 8" sewer pipe costed \$61,463.00. The excavated area must be restored with grass and stabilized. Kinsley Construction quoted the restoration cost at \$13,223.00. Two additional quotes will be obtained.

#### Woodland Tank

The repaired Woodland tank was sampled for coliform and chlorine and all samples were acceptable; the tank was back in service on March 23.

#### **Public Roads & Lighting** – Eric W. Stoley

#### North Sunset Drive

A letter was received from Larry Zimmerman asking for attention to the grade of the paving that Kinsley Construction will be doing to overlay the alley because of gas line work they performed. B. Sweitzer stated he met with Kinsley and they are aware of the concerns and B. Sweitzer will be checking on their work when the overlay is put down.

### Street Sweeper

Ross Industries began sweeping the streets on April 1 at \$90.00/hour.

### Winter Salt Purchase

B. Sweitzer reported he purchased 228.47 tons of salt at \$64.00/ton for a total of \$14,622.08.

### Columbia Gas Road Restoration

B. Sweitzer met with representatives of Columbia Gas and Kinsley Construction regarding the condition of some roadways from the gas line work. Overlay will be put in place on South Main Street, South Sunset Drive, West Forrest Avenue, and North Sunset Drive. Each West Forrest Avenue property will have a concrete walkway to the road and failing curb will be replaced. The work should be finished by June.

### Woodland Drive Storm Runoff

B. Sweitzer spoke with the farm owner about the field next to the residents on Woodland Drive. They do not know of any changes to the land in the last five years and are unaware of a soil conservation plan for that field. They have used no-till farming for 15 – 20 years and they do not believe that the runoff has to do with the York Water Company water line. Since every farm needs to have a conservation plan, the owner should be contacted to see if there is in fact a conservation plan in place and to provide the Borough with a copy.

## **Public Lands, Buildings, and Finance** – Christopher M. Skoglund

### Fire Alarm System

B. Sweitzer met with three suppliers about a fire alarm system for the Borough building. C. Skoglund and R. Buchanan will meet next week to compare the three quotes.

### New Dump Truck

The amount of \$110,000.00 was budgeted for a dump truck to replace the 1992 Ford dump truck. The price of trucks has increased due to emissions regulations. Under the Co-Stars contract, the truck will cost around \$140,000.00. The bed will be made of stainless steel to hold up better with the road salt. The 1992 dump truck has electrical problems and can't be used at night. B. Sweitzer was asked to go try the new truck out and come back next month with his recommendation.

### Solicitation

Solicitors are still going door to door without obtaining a permit. For the 2014 budget, E. Stoley would like signs installed that soliciting is allowed by permit only.

## **ENGINEER'S REPORT**

### Storm Water Ordinance

Eng. Lipinski stated that out of the 72 York County municipalities, 35 have adopted a storm water ordinance based on the new DEP requirements. The draft ordinance was e-mailed to Council this week and will be discussed further next month.

### Community Development Block Grant

The Borough paid SWERP the amount of \$83,962.89 and the County was going to pay the \$100,000.00. SWERP is coming back to finish the ten additional laterals. The yards have been made and the sign is down.

### Windy Hill Road

The Borough has not been reimbursed by PennDOT yet for the sewer relocation work.

### Manhole Locating Project

There are just a few items to finish on this job yet and then the information will be given to B. Sweitzer and Ted Nadobny for the mapping work.

### 2012 Proportionate Sharing Report

Eng. Holley is getting some clarification on numbers from New Freedom Borough.

### Sign Inventory Map

Eng. Holley sent the paperwork to B. Sweitzer to be marked up.

### Woodland Tank

James R. Holley & Associates is working on the bid specifications for the tank exterior work.

### 2013 Road Work

James R. Holley & Associates is working on the PennDOT permit and the repaving specifications for West Linden Avenue and Bridle Road.

### Additional Sewer Work Brookview Meadows

There are more problems with the manholes and sewer line just above of the area recently repaired by Kinsley Construction. Some of the pipe is ten feet deep. The line within 100 feet of the Meadow Well will need to be re-encased in concrete. Eng. Lipinski will provide an estimate at the next meeting.

## **SOLICITOR'S REPORT**

### Heathcote Glen II

The outstanding fees have been paid.

### Surety for Improvements

Sol. Rehmeier received a response from Attorney Stacey MacNeal who is coordinating with the owner of Eitzert Farms on an update on the cost of improvements as well as a schedule. She will also provide the documents necessary in order to extend the existing mortgage the Borough holds as security for the improvements. Sol. Rehmeier has not heard from S & A Homes, the developer of Covington Ridge III.

### 50 West Clearview Drive Swale Issue

Sol. Rehmeier received the information from Eng. Lipinski. The revised easement agreement will be submitted to B. Sweitzer and Eng. Lipinski for review and then to Council.

### Trash Collection/Contract



The crews can start on Main Street and East Forrest Avenue at 6:00 a.m. but were in developments before 7:00 a.m. about a month ago. Sol. Rehmeier mentioned this when he called Penn Waste about options for shredding and electronic recycling.

### County Hazard Mitigation Plan

The County plans to adopt the plan on April 17 and by the end of April, the County Planning Commission will send a letter to all municipalities explaining what they need to do and will include a proposed resolution adopting the plan.

### Public Safety, Welfare, and Personnel – Michael G. Sharkey

M. Sharkey highlighted the monthly reports from Rose Ambulance and the Shrewsbury Volunteer Fire Company.

### South Central Terrorism Task Force

Fire Chief Tony Myers has been selected to participate on the South Central Terrorism Task Force Incident Management Team. The team is dispatched by PEMA to large scale incidents to assist local fire companies with their incident management system during an event. The question of coverage by workers compensation for this position was discussed and our insurance agent said that workers compensation coverage is available through the Borough's policy as long as it is documented in the Borough's minutes that approval has been provided

E. Stoley moved to acknowledge that Tony Myers is a member of the South Central Terrorism Task Force Incident Management Team and is recognized by the Borough with coverage under the workers compensation policy.

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

### Secretary's Report – Cindy L. Bosley

### York Adams Tax Bureau – Michael G. Sharkey

The next meeting is the end of this month.

### Subdivision, Land Development & Zoning – Eric W. Stoley

### Planning Commission/Regional Planning Commission – Eric W. Stoley

### UNFINISHED BUSINESS

## **NEW BUSINESS**

### **Issue Control Sheet**

The issue control sheet was reviewed and updated.

### **Merit Badge Weekend at Park**

Merit badge weekend is May 17 – 19 at the park. One of the merit badges this year involves gun safety and M. Sharkey asked for a waiver for a couple of firearms to be used in the presentation that will not include ammunition. The sign at the park states no firearms. Since this will involve teaching about gun safety and no ammunition will be on the premises, Council agreed to a waiver for this occasion. Southern Regional Police have been notified of the event. Firearms instructors are NRA-certified instructors.

E. Stoley moved to suspend the rule of no firearms at the Sweeney Park to allow one or two guns on display with no ammunition for the purpose of learning gun safety for the merit badge weekend.

M. Sharkey seconded. The motion carried with all in favor. This merit badge will be done on Friday, May 17.

## **COMMUNICATIONS**

A letter was received from Mrs. Evelyn Johnson of 110 Crosswind Drive thanking Brian Sweitzer for his outstanding service he provided to her on March 22 when she had a water leak. Brian met with her son and left tools for him to turn the water back on when he was finished with the repairs and then Brian picked the tools up after hours.

## **ADJOURNMENT**

E. Stoley moved to adjourn the meeting at 10:07 p.m.

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

Submitted by,  
Cindy L. Bosley, Secretary