

MINUTES

SHREWSBURY BOROUGH COUNCIL

REGULAR MEETING

AUGUST 10, 2005

PRESENT: Richard R. Buchanan, Michael R. Caum, Thomas D. Metz,
Peter W. Schnabel, 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, Codes Enforcement; Barb Krebs of The York Daily Record; Phil Robinson; Randy Shearer; Karoline and Mike Cherry; Ron Baker; Scott Cunningham; Gary LaBarre; Nate Kirschman; Mike Hare; Douglas Miller and Atty. Knupp; interested citizens

The regular meeting of the Borough Council convened at 7:33 p.m. in the Borough Municipal Building, 35 West Railroad Avenue with President Schnabel presiding.

CITIZEN'S COMMENTS

Karoline Cherry of 38 West Forrest Avenue read a statement asking for the Council members to overturn the decision of the Zoning Hearing Board from last week's hearing when a day care got approval to go into 2 and 6 South Park Street.

Mrs. Cherry was told to contact an attorney to seek advice if she wants to appeal the decision; Council has no authority to overturn a decision.

Mike Cherry of 38 West Forrest Avenue read a letter that he felt the zoning officer was too helpful toward the applicant in the zoning hearing to allow a day care at 2 and 6 South Park Street.

Gary LaBarre of the radio club stated the radios in the EOC were used during the parade to coordinate the fire police and parade officials and everything went well.

Ronald Baker of 12 Crosswind Drive said the speed trailer was on Covington Drive today and it helped slow traffic down. He stated he read an article where a Township installed four speed bumps at a cost of \$1,200.00. B. Sweitzer will investigate how the bumps were installed to verify the cost.

R. Buchanan and Chief Childs are proposing creating citizen block watches for speed and stop sign violations. Ronald Baker and Mike Hare stated they would be willing to coordinate committees to form the block watches. Council felt a minimum should be eight on a committee with an age limit of at least 21 years. The citizens would record events on an event sheet and sign it in order to lodge a complaint. The information would be entered into a database at the Borough office and after a set number of violations, the police department would send the owner of the vehicle a letter.

Mike Hare asked if the no left turn onto Crosswind Drive from Tolna Road is still an option.

We are still waiting on traffic studies for truck restrictions and engine brake retarders.

R. Buchanan will hold a meeting with the block watch residents on August 24 at 7:30 p.m.

C. Skoglund moved to spend up to \$200.00 for the required signs.

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

Nate Kirschman presented the EMA budget for 2006 and also specifications for an emergency backup generator for the repeater site.

Nate thanked Council for helping with Bingo during the carnival.

APPROVAL OF MINUTES

T. Metz moved to approve the minutes of the July 13 meeting.

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

APPROVAL OF EXPENDITURES AND REPORT OF ACCOUNTS

The June expenditures and report of accounts will be approved next month.

BILLS

The bill list was presented for July: General account: check numbers 6852 thru 6919 totaling \$236,389.28; Water account: check numbers 3292 thru 3314 totaling \$71,977.85; Sewer account: check numbers 2779 thru 2805 totaling \$125,294.26; Highway Aid account, no checks.

C. Skoglund moved to approve the bill list for July.

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

SUBDIVISION AND LAND DEVELOPMENT BUSINESS

Jotrade, L.P. & Anthony Rocco Mancuso Final Subdivision plan #2005-2 W. Clearview Dr.

The Planning Commission recommended approval of the plan contingent on compliance with comments of James R. Holley & Assoc.

Eng. Holley recommended approval of the plan contingent on the following requirements: erosion and sedimentation control plan approval, sewer planning exemption approval and all owners signatures on the plan (done).

E. Stoley moved to approve the final subdivision plan #2005-2 based on erosion and sedimentation control plan approval and sewer planning exemption approval and required signatures.

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

Jotrade, L.P. & Anthony & Stephanie Shelton Final Subdivision plan #2005-3 W. Clearview Dr.

The Planning Commission recommended approval of the plan contingent on compliance with comments of James R. Holley & Assoc.

Eng. Holley recommended approval of the plan contingent on the following requirements: erosion and sedimentation control plan approval, sewer planning exemption approval and all owners signatures on the plan (done).

E. Stoley moved to approve the final subdivision plan #2005-3 based on erosion and sedimentation control plan approval and sewer planning exemption approval and required signatures.

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

Jotrade, L.P. & Marion Malinski Final Subdivision plan #2005-4 W. Clearview Dr.

The Planning Commission recommended approval of the plan contingent on compliance with comments of James R. Holley & Assoc.

Eng. Holley recommended approval of the plan contingent on the following requirements: erosion and sedimentation control plan approval, sewer planning exemption approval and all owners signatures on the plan (done).

E. Stoley moved to approve the final subdivision plan #2005-4 based on erosion and sedimentation control plan approval and sewer planning exemption approval and required signatures.

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

Heathcote Glen Final Subdivision Plan #2005-1

Eng. Holley recommended approval of the plan contingent on erosion and sedimentation control approval, sewer planning exemption approval and appropriate bonding for improvements in the amount of \$788,535.00.

E. Stoley moved to approve the final subdivision plan #2005-1 contingent on erosion and sedimentation control plan approval, sewer planning exemption approval and appropriate bonding for improvements.

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

E. Stoley moved to authorize the signing of the sewer planning exemption by President Schnabel.

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

Letter of Credit Covington Ridge I & II

The current balance is \$79,615.13. Eng. Holley recommends reducing the letter of credit by an amount of \$41,428.49 leaving a balance of \$38,186.64 to cover the storm water basin conversion, street lights and other items.

E. Stoley moved to reduce the letter of credit by an amount of \$41,428.49 leaving a balance of \$38,186.64.

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

Eitzert Farms Plans

The developer asked for a time extension for the plan filed on July 13, 2005 and withdrawing all plans filed previously.

E. Stoley moved to send a letter to RGS acknowledging an unlimited extension with our approval.

C. Skoglund seconded. The motion was then amended as the letter asking for an extension gave a date of January 25, 2006.

E. Stoley amended his motion to acknowledge the extension to January 25, 2006.

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

Dave Keller Sewer Planning Exemption Form

This will be signed at next month's meeting.

Covington Ridge Phase III Re-approval

Since the approved plan was not recorded within 90 days, the plan must be re-approved and re-signed. The developer has received the necessary permits.

E. Stoley moved to re-approve the final subdivision plan for Covington Ridge III.

C. Skoglund seconded.

E. Stoley moved to amend his motion to add subject to the developer obtaining appropriate bonding for improvements.

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

REPORTS

Codes Enforcement – E. Michael Lee

Mike stated some enforcement letters were sent out. Signs have been recorded and measured. The fire hydrant violation on Northbrook Lane is still ongoing. The property owner was in the hospital but a meeting will be set with compliance to be within 30 days. There are three other hydrant violations as well. Mike was asked to look into the building that is collapsing behind the firehouse on the northeast corner. Also, he was asked to look into the debris in the detention pond in the development off of West Clearview Drive. Mike was asked about his participation in the last zoning hearing. He stated he gives applicants information and guidance as they do not know the process. At the hearing, he was put under oath so he had to testify as a witness and had to answer questions that were asked of him by the applicant's attorney that he has to answer honestly and directly. He also gives his interpretations of the ordinance at the hearings.

Fences in Right of Ways

Discussion ensued if fences should be allowed in right of ways. A policy will be prepared regarding fences in right of ways but the Borough needs to be protected in obtaining quick access and exemption from being required to replace or repair any fence or obstruction.

Water & Sewer – Richard R. Buchanan

Pumphouse Wells

Construction is on hold until the probes for the wet well arrive. After installation, the SCADA system will be tested and DEP will be ready to survey the site.

Water Meter Equipment

Public Works Department would like a second autoread gun at a cost of \$11,500.00. This will be included in the 2006 budget.

Wellhead Protection Meeting

A meeting will be scheduled for either September 12 or 13 in the evening.

Sewer Flows

The flows are low despite the heavy rain storms in July. The flows are 75,000 gallons less than ten years ago in July even though 650 customers were added since 1995 and flows are 58.3% of the plant flows; the Public Works Department will continue to pinpoint any leaking lines or problems.

Public Roads & Lighting – Christopher M. Skoglund

Stormwater Problem at 39 East Forrest Avenue

There is storm piping in front of 39 East Forrest Avenue that collects water from North Main Street, North Highland Drive, East Forrest Avenue and private property. A portion of the concrete spillway has failed and is causing a sinkhole. It needs to be determined who owns the spillway. The repair would cost about \$700.00 for labor and concrete.

Sol. Rehmeyer will investigate the legal requirements and we will do the work to get the problem resolved as this area needs the work to be done in a specific way to avoid flooding of other properties.

25 MPH Speed Signs

The "painted on" signs for Cardinal Drive and Clearview Drive have been ordered. It was recommended that the signs are very noticeable when applied against a dark background.

Shopping Center Exit at Shrewsbury Center

One of the delineators was destroyed and will be replaced. This intersection will continued to be watched with possible closing of the exit closest to Cardinal Drive.

Stormwater Pipe Cleaning

The stormwater pipe cleaning project covered approximately 20% to 25% of the town costing \$20,000.00. The remainder of the town will be budgeted in the 2006 budget. An article will be placed in the next newsletter asking residents to not blow grass clippings out into the street.

I-83 Closure and Detour

Traffic was detoured through town starting Monday during carnival week with no notice to the Borough or police department. PennDOT said they are not required to notify us since traffic was not going to be diverted onto Borough-owned streets.

C. Skoglind will draft a letter to protest the treatment PennDOT gives municipalities when they should be trying to promote a spirit of cooperation.

Street Adoption Covington Ridge II

Center line descriptions were received. There is still some work to be done and S & A Homes is aware of the corrections that need to be made. They will be told that if the work is not completed satisfactorily by September 1, we will not advertise the ordinance for adoption.

Traffic Studies for Valley View Grove and Deer Creek

The York County Planning Commission prepared studies for speed limits and stop intersections for the Valley View Grove and Deer Creek developments.

C. Skoglind moved to authorize Sol. Rehmeyer to prepare the ordinances for adoption at next month's meeting.

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

Street Adoptions for Valley View Grove and Deer Creek

Cornerstone submitted centerline descriptions but there is still work that needs to be done in both developments. B. Sweitzer is preparing a list and Cornerstone will be advised that if the work is not completed satisfactorily by September 1, we will not advertise the ordinance to adopt the streets.

Stormwater System Grant

Interviews were held last evening and an award of the contract will be done at next month's meeting.

Public Lands, Buildings and Finance – Christopher M. Skoglund

Final 2004 Audit Report

The report is finished and is much more detailed than previous audits. Next month, we hope to have an equitable invoice from Dotzel & Co. for the work with a locked-in amount for the next couple of years. Dotzel & Co. will also help with the conversion to QuickBooks.

Public Works Garage

The trusses were installed on August 3 and the concrete floor was poured on August 10. The trusses were redesigned with 2 x 6s instead of 2 x 4s due to our insistence. The cost differential will be absorbed by Poole Construction.

Eng. Holley recommended payment be made to Richard Poole Company in the amount of \$51,176.70.

C. Skoglund moved to approve payment in the amount of \$51,176.70 to Richard Poole Company.

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

Scouthouse Renovations

The Scouts have a problem with mold forming in the new room downstairs. The building needs an exhaust fan in the basement to eliminate the damp air at a cost of approximately \$1,000.00. Another solution would be to install glass block downstairs to allow light to enter the basement.

C. Skoglund moved to proceed with the fan work now and to authorize the expenditure of up to \$1,000.00 and to look into the glass block and wall work.

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

Utility Billing

R. Buchanan moved to proceed with ordering the utility billing software.

C. Skoglund seconded. The motion carried with P. Schnabel withholding his vote. He would like the cost savings to be tracked.

ENGINEER'S REPORT

Exit 4 at I-83

Federal funding was approved for the pre-engineering design work only to be done in 2008 with the monies being available October, 2007. Construction may take place in 2009 or 2010.

Kimco Realty Letter of Credit for Wellhouse Work

Kimco Realty has asked for the release of the letter of credit of \$230,000.00.

Eng. Holley will respond that will agree to have the letter of credit reduced to \$40,000.00 to cover any SWIP testing.

SOLICITOR'S REPORT

Grim's Glass & Plastics

Atty. Knupp and Sol. Rehmeyer will meet to go over the proposed agreement for next month's meeting. A draft was attached to the solicitor's report. Jeff would like comments from Council as soon as possible. The matter was not discussed as there is still a chance of litigation.

Sewer Issues

A letter and a copy of the Indemnification Agreement were sent to the Solicitor for New Freedom Borough and some comments were received.

I-83 Rest Stop EDU Issues

The meeting with PennDOT to discuss EDUs will be next Wednesday, August 17 at 6:00 p.m.

Alarm Ordinance

R. Buchanan moved to adopt Ordinance #2005-6 to regulate alarms in the Borough.

M. Caum seconded. Roll call vote:

Buchanan	In favor
Caum	In favor
Metz	In favor
Skoglund	In favor
Stoley	In favor
Schnabel	In favor

Test Wells

Atty. Blakey asked for another copy of the agreement. We need to ensure we have the appropriate rights of ways to run the service mains.

York Area Tax Bureau Ordinances

T. Metz moved to adopt Ordinance #2005-4 to authorize the Bureau to impose costs and fees associated with the collection of delinquent taxes.

C. Skoglund seconded. Roll call vote:

Buchanan	In favor
Caum	In favor
Metz	In favor
Skoglund	In favor
Stoley	In favor
Schnabel	In favor

T. Metz moved to adopt Ordinance #2005-6 which allows the Bureau to collect earned income taxes excluding Maryland residents.

E. Stoley seconded. Roll call vote:

Buchanan	In favor
Caum	In favor
Metz	In favor
Skoglund	In favor
Stoley	In favor
Schnabel	In favor

PACC Resolution

C. Skoglund moved to adopt resolution #2005-6 to authorize participation by the Borough in the Pennsylvania Capital City Automotive and Equipment contract.
E. Stoley seconded. Roll call vote:

Buchanan	In favor
Caum	In favor
Metz	In favor
Skoglund	In favor
Stoley	In favor
Schnabel	In favor

Community Information Guide

A letter was sent to the President of Community Information Guide proposing that the Borough receive notification of when disbursements using sponsor monies are made to pay for costs to our Guide. The Borough's pertinent information and picture were sent to Community Information Guide on August 4, receipt of which was acknowledged.

Engine Retarder Ordinance for Tolna and Truck Restriction Ordinances

CGA is ready to proceed with the ordinances when the studies are returned.

Weaver Precast Lead Testing

Sol. Rehmeyer has researched the lead issue and learned that lead at a certain level is considered a hazardous material and should be reported. Test results from the site are due back August 20.

A copy of the results should be sent to adjacent property owners.

Harold and Karen Jones Sewer Bill Default

The Jones's are in default of their sewer bill and payment was not received. Sol. Rehmeyer asked for authorization to proceed toward a Sheriff's Sale of the property at 16973 Mt. Airy Road.

C. Skoglund moved to authorize Sol. Rehmeyer to begin execution proceedings against 16973 Mt. Airy Road for collection of the delinquent sewer bill.
E. Stoley seconded. The motion carried with all in favor.

Deer Creek Buffer Easement

The agreement was received and Sol. Rehmeyer asked that the homeowner's association be a party to the agreement.

Russett Farms Development – Township

The developer is proposing five low grade lots be served by grinder pumps into a force main to serve just these lots.

The Borough wants to be especially cautious because even if the Borough does not accept ownership of this force main, we will still be called out in the event of failure and we don't want to be drawn into any problems. Therefore, the Borough is not in favor of approving a force main for this area. There was a proposal that the homeowner's association maintain the force main. We must set a policy to determine how many homes are required before a force main will be approved.

Grim's Glass

C. Skoglund thanked Sol. Rehmeyer's efforts in working toward a resolution with Grim's Glass.

Public Safety, Welfare and Personnel – Michael R. Caum

Personnel Meetings

The meetings for office staff and B. Sweitzer will be on Wednesday, September 21 and the Public Works Department's meetings will be on Wednesday, September 28.

Secretary's Report – Cindy L. Bosley

NIMS Training

S. Shaw and C. Bosley will take this training on September 8. E. Stoley indicated he will take the on-line course.

Hemler ACS 2006 Contract

C. Skoglund moved to accept the Hemler ACS contract for 2006.
M. Caum seconded. The motion carried with all in favor.

York Area Tax Bureau – Thomas D. Metz

P. Schnabel reported he spoke with Lois Kashner, director of the Bureau, and she is obtaining a list of tax payers and addresses from State and Federal tax records so we can compare and add residents if needed.

Subdivision, Land Development and Zoning – Eric W. Stoley

The Committee set October 24 at 7:00 p.m. for a meeting where the public is invited to attend to discuss signs.

Planning Commission – Eric W. Stoley

Southern Regional Police – Richard R. Buchanan

The reports for June and July were highlighted. Our time is slightly up. R. Buchanan presented worksheets showing time by month and the amounts and percentages paid by each municipality. Council members are very concerned with the costs. It was suggested that a subcommittee be formed by each municipality to discuss the economic growth in the area, especially in and adjacent to Shrewsbury Borough.

UNFINISHED BUSINESS

NEW BUSINESS

OTHER BUSINESS

M. Caum also thanked Council for helping in the Bingo stand.

COMMUNICATIONS

ADJOURNMENT

E. Stoley moved to adjourn the meeting at 11:55 p.m.

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

Submitted by,

Cindy L. Bosley, Secretary