

## MINUTES

### SHREWSBURY BOROUGH COUNCIL

REGULAR MEETING

AUGUST 8, 2012

PRESENT: Mayor Peter W. Schnabel, Richard R. Buchanan, Michael W. Ridgely, 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.; Larry Zimmerman, Shrewsbury Events Committee; Phil Robinson; Deb Summers of The York County Planning Commission; Elizabeth Hornack; Walter Gartner; Donald Hare; Lawrence Vasold, Jr.; Lawrence Vasold, III; Chris Vasold; Ted Nadobny

The regular meeting of the Borough Council convened at 7:31 p.m. in the Borough Municipal Building, 35 West Railroad Avenue, with President Ridgely presiding.

#### **CITIZEN'S COMMENTS**

Walter Gartner, of 15 Shetland Drive, was present about the water runoff that comes from Whitcraft Lane, down the well access drive, and onto his yard. He is proposing that six inches of curbing be installed along the access road between Whitcraft Lane and the Blouse Well to keep the water on a path and then it would channel onto an area where he would place rocks. The payment arrangement would be the Borough pay for the curbing (about 150 feet at a cost of between \$200.00 – 300.00) and he would supply the rocks. Unfortunately, his home was placed in an area where rainfall collects which was chosen by him and his builder. The runoff is not coming from the Borough's lot on Whitcraft Lane.

This will be taken under advisement by the Public Lands, Buildings and Finance Committee.

#### **APPROVAL OF MINUTES**

The minutes of the July 11 meeting were approved by unanimous consent by those who were at the meeting.

### **7:45 P.M. Public Comment for Residents impacted by the Southern Farms Sewer Project Community Development Block Grant**

Deb Summers, from the York County Planning Commission, was present. One citizen, Elizabeth Hornack of 32 Covington Drive, asked if her portion of the lateral should be replaced while the other work is being performed. B. Sweitzer stated the property owners' portion of the laterals, which is cast iron, does not seem to have any tree root problems.

Eng. Lipinski described the project that will include slip lining of the main in the street that will be heated with steam and pulled from one manhole to another, sealed off, heated again, and then inflated. Sixteen laterals (from the right-of-way to the main) were already done leaving 49 yet to do as part of this project. The Public Works Department will excavate in the yard to find the cleanout and from that point to the main in the street will be lined. The work will be done this fall and will take about two months. Plenty of notifications will be given to property owners so they know what to expect. In the spring, the Public Works Department will do the final restoration of seeding and mulching.

This is the first phase of sewer line replacement. The second and third phases are in the Township and will fall under the Municipal Authority's jurisdiction.

### **APPROVAL OF EXPENDITURES AND REPORT OF ACCOUNTS**

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

### **BILL LIST**

The bill list for July was presented: General account: check numbers 11235 thru 11283; Water account: check numbers 4783 thru 4799; Sewer account: check numbers 4497 thru 4513; Highway Aid: none.

C. Skoglund moved to approve the July bill listing.  
M. Sharkey seconded. The motion carried with all in favor.

### **PAYROLL REGISTER**

C. Skoglund moved to approve the July 9 and 23 payroll registers.  
M. Sharkey seconded. The motion carried with all in favor.

## **SUBDIVISION AND LAND DEVELOPMENT BUSINESS**

### **Heathcote Glen II, Final Subdivision Plan**

Comments from the July 23 Planning Commission meeting were met with the exception of agreeing on the surety amount and payment of all fees. Eng. Lipinski stated some of the amounts of the improvements need to be adjusted.

E. Stoley moved to approve the final subdivision plan contingent on Eng. Lipinski being satisfied with the amounts included in the surety.

C. Skoglund seconded. The motion was amended to include payment of all fees.

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

Buck highlighted the police report for June. Mayor Schnabel reported the feasibility study of the benefits of Stewartstown Borough joining the Southern Regional Police Department is nearly completed.

## **Codes Enforcement**

### **Water & Sewer** – Richard R. Buchanan

#### **Smith Brothers Garage Gasoline Spill**

United Environmental Services requested to meet with the Borough on remediation efforts. The property is in Zone 2 of the Wellhead Protection area. An unleaded gasoline spill occurred in 2006.

#### **SRBC Blouse and Smith Well Permits**

The Susquehanna River Basin Commission is allowing the Borough to test the Blouse Well this year and stagger the testing of the Smith Well until next year. Right-of-way agreements are currently being obtained for adjacent property owners to have a discharge pipe placed above ground along the creek. An agreement is also needed from the property owner with a detention pond along Kratz Road to monitor during the testing.

20 Onion Boulevard Sewer Spill

The Southern Regional Police Department is investigating the vandalism that occurred a month ago.

Windy Hill Bridge Replacement Sewer Relocation

Kinsley Construction is relocating our sewer line along Windy Hill Road due to the bridge replacement. Three manholes and sewer lines will be installed. The Borough's responsibility is \$25,000.00 plus asbestos pipe removal. PennDOT mandated the pipe replacement as it was obstructing the bridge project.

**Public Roads & Lighting** – Eric W. StoleyDrainage Issues

[Also discussed under Citizen's Comments.]

15 Shetland Drive and 18 Devonshire Drive did not experience any storm runoff problems during the July 28<sup>th</sup> storm which produced about 2.5" of rain in five hours. B. Sweitzer visited the sites and none of the properties in that area were affected. The 15 Shetland Drive property did receive Whitcraft Lane's storm water but it was diverted to the storm pipe under the driveway. B. Sweitzer did not notice any runoff from the Borough's property next door to 15 Shetland Drive.

Crack Sealing

The Public Works Department will seal cracks in September and October on the following streets: West Forrest Avenue, Morgan Drive, Hackney Lane, Shetland Drive, Brookview Lane, Greenview Drive, Raypaula Drive, Skyview Drive, Woodland Drive, Gatewood Drive, and Wineberry Drive.

Woodland Drive

C. Skoglund stated the gas company had placed two diversion humps during the gas line replacement. B. Sweitzer will see if they can be removed.

**Public Lands, Buildings and Finance** – Christopher M. SkoglundSchedule Budget Meetings

Budget meetings are scheduled for October 3, October 17, November 7, November 28 and December 5 at 7:00 p.m.

## **ENGINEER'S REPORT**

### Stormwater Ordinance

Work is still being done to try to make the ordinance less burdensome as far as requiring stormwater management for smaller projects. The zoning officer will have to keep track of impervious surface for projects. The ordinance will be a stand-alone ordinance, not part of the zoning ordinance.

### 95 East Forrest Avenue Grading Plan

A grading plan was submitted to bring in fill that would raise the height 15 feet. Section 312 of the zoning ordinance states, "No lot shall be graded by either filling, excavating or a combination of excavating and filling unless a plan has been submitted and approved by the Borough. Plans will not be approved that propose to alter the existing grade by more than six feet unless such grading will be congruous with the adjoining property."

There are three monitoring wells and one domestic well on this vacant lot which is in a wellhead protection zone. Fill was placed on this lot a few years ago and the owner was contacted that the fill needed to be removed and the owner complied. The owner should contact DEP to see if the monitoring wells may be closed. The Public Works Department will close the domestic well based on DEP requirements.

E. Stoley moved to reject the plan as submitted to Eng. Lipinski based on Section 312 of the Zoning Ordinance.

M. Sharkey seconded. Roll call vote:

Buchanan	yes, to reject plan
Sharkey	yes, to reject plan
Skoglund	yes, to reject plan
Stoley	yes, to reject plan
Traband	yes, to reject plan
Ridgely	yes, to reject plan

Sol. Rehmeyer was asked to send a letter by certified mail to the applicant to include cease and desist language. The existing monitoring wells need to be retained unless written documentation is obtained from DEP that they can be filled

in according to those standards. The domestic water well will be closed by the Public Works Department to protect our water source after receiving confirmation from the owner.

**EXECUTIVE SESSION**

An executive session was called at 8:58 p.m. to discuss a legal issue. The meeting was reconvened at 9:42 p.m.

92 Skyview Drive

M. Sharkey moved to accept the settlement proposal by Lawrence Vasold, Jr. for payment of \$8,000.00 for unpaid fees and costs and some amount toward the fine. The amount needs to be paid before the Sheriff’s Sale which is scheduled for October 15. Further, the property needs to be cleaned up and show proof that the 2010 taxes were paid.

E. Stoley seconded. Roll call vote:

Buchanan	yes, in favor
Sharkey	yes, in favor
Skoglund	yes, in favor
Stoley	yes, in favor
Traband	yes, in favor
Ridgely	abstained, personal involvement

**EXECUTIVE SESSION**

An executive session was called at 9:47 p.m. to discuss an additional item of litigation.

The meeting was reconvened at 10:30 p.m.

**SOLICITOR’S REPORT**

Gymnastics of York, Inc. and York Traditions Bank

The bank has been meeting with a local developer and believes it might be possible to redevelop the property if a variance could be obtained to increase the density from six to eight units.

Blouse Well Testing

Sol. Rehmeyer is working with Supt. Sweitzer to finalize seven easements related to testing for the re-permitting as required by DEP.

E. Stoley moved to authorize Brian Sweitzer to sign the easements on behalf of the Borough.

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

#### 50 West Clearview Drive Swale Issue

Sol. Rehmeyer's office prepared a right-of-way agreement and will finalize it upon receipt of information from Eng. Lipinski with regard to the scope of the easement and the improvements to be installed.

#### Bids for Snow Plowing Services

Sol. Rehmeyer's office prepared the snow plow bid specifications. The bids will be opened on September 12.

#### **Public Safety, Welfare and Personnel** –

R. Buchanan reported interviews were held for the zoning officer/BCO position.

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

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

A letter was received explaining the negative amounts that appeared in the last disbursement.

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

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

#### **UNFINISHED BUSINESS**

#### Dog Tethering Ordinance

Council hesitated to spend funds on preparing and advertising an ordinance when the S.P.C.A.'s humane officer could respond to a complaint about animal cruelty and make the owner correct the situation.

### **NEW BUSINESS**

#### **112 Brook Meadow Circle**

The weeds/wild flowers and overgrowth at the property was discussed. Mike Lee will be asked to proceed.

### **COMMUNICATIONS**

A letter was received from Larry Zimmerman, representing the merchants, to let Council know that Jeanne Campbell and her husband of Payne and Campbell, 21 North Main Street, spent three days cleaning up and planting flowers in the area of their shop up to Walnut Alley.

A thank you letter will be sent.

### **ADJOURNMENT**

E. Stoley moved to adjourn the meeting at 10:41 p.m.

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

Submitted by,  
Cindy L. Bosley, Sec.