

## MINUTES

### SHREWSBURY BOROUGH COUNCIL

REGULAR MEETING

DECEMBER 9, 2009

PRESENT: Richard R. Buchanan, Thomas D. Metz, Carl Munch, Michael W. Ridgely, 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 of Codes Enforcement; Kellie and Chris Jackson; Charles Keeny; Robert and Margaret Shaub; Fire Chief Tony Myers; Bill Stumbo

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.

#### **PRESENTATION OF CERTIFICATE**

President Schnabel presented Bill Stumbo with a certificate of appreciation for his years of service with the Planning Commission.

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

Robert Shaub voiced a complaint about the sight view being blocked at the intersection of East Church Street and South Main Street, particularly on Sunday mornings. Vehicles park at the intersection.

The police department will be asked to check this and to measure how far back the vehicle needs to park. A warning should be issued.

Mr. Shaub thanked Brian Sweitzer for trimming the limbs away from the Spurgeon Keeny memorial marker on South Main Street.

Charles Keeny spoke on behalf of the Spurgeon Keeny memorial committee. He presented three items to be donated to the Spurgeon Keeny Room.

C. Skoglund moved to accept the three items for placement in the Keeny Room.

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

Chris and Kellie Jackson, 2 Plank Road, were present at the request of Council regarding parking in front of their home. The Borough had requested a traffic study as a result of trucks and large vehicles parking at the Rutter's store which blocks the sight view of motorists. The traffic study came back with the recommendation that parking be eliminated on the south side of Plank Road from the intersections of Main Street to Clear Run Drive. Council did not want to eliminate all of this parking and the Jacksons said neither they, nor their neighbors, want to lose parking along the street.

It was noted that Plank Road will be reclassified to be a major collector street in the regional comprehensive plan because of the amount of traffic and allowing parking along the street may help with speeding.

Discussed further under the Public Roads and Lighting report.

### **APPROVAL OF MINUTES**

C. Skoglund moved to approve the minutes of the November 11 meeting.

T. Metz seconded. The motion carried with all in favor with E. Stoley abstaining as he was not at the November meeting.

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

M. Ridgely moved to approve the expenditures and report of accounts for October.

C. Skoglund seconded. The motion carried with all in favor. The water account income is below projections.

### **BILL LIST**

The bill list for November was presented. General account; check numbers 9783 thru 9840; Water account: check numbers 4266 thru 4277; Sewer account: check numbers 4110 thru 4124; Highway Aid account: check number 809.

M. Ridgely moved to approve the November bill list.

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

## **APPROVAL OF PAYROLL REGISTER**

M. Ridgely moved to approve the November 3 and 17 payroll registers.  
C. Skoglund seconded. The motion carried with all in favor.

## **SUBDIVISION AND LAND DEVELOPMENT BUSINESS**

### **Southern Regional Police Department**

Taken later.

### **Codes Enforcement** – E. Michael Lee

Mike stated he reviewed the proposed amendment for use certificates being required each year and has one minor comment for Sol. Rehmeier.

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

#### **Geothermal Heating Systems**

R. Buchanan arrived at 8:00 p.m.

The ordinance was reviewed by Mike Lee, Eng. Holley and Brian Sweitzer and will be reviewed by the Wellhead Protection Committee tomorrow evening. Open loop systems are prohibited and only horizontal closed loop systems shall be permitted in zones 2 and 3. All properties outside of any zone covered by the overlay district shall be permitted horizontal and vertical closed loop systems. Only food-grade glycol may be used.

C. Skoglund moved that Sol. Rehmeier be instructed to advertise the ordinance for adoption at the January or February meetings.

### **Wellhead Protection Ordinance**

Exhibit B was changed to add commercial or municipal solid waste recycling and composting facilities and for cemeteries, caskets shall be encased in concrete grave liners. For future requests, the Wellhead Protection Committee will review the applications for hearings and will give a recommendation to the Zoning Hearing Board. The Wellhead Protection Committee will review the ordinance tomorrow night.

R. Buchanan moved that Sol. Rehmeyer be authorized to advertise the ordinance for adoption at the January 4 meeting, contingent on the Wellhead Protection Committee's review and comments.

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

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

Contract negotiations have ended and the union failed to request arbitration. Unless the union agrees with the Commission's proposal, there will be no raise in 2010 and contract talks will start over next year.

#### Southern Farms Water Line Project

Preliminary cost estimates for the Southern Farms water line replacement project to replace approximately 29,000 lineal feet of pipe and 10,600 feet of water service lines is \$2,739,682.00. We will apply for a PA Water Grant which would cover 50% of costs. The application is due in August but it's recommended it be submitted earlier. Council needs to decide how much it will commit to the project and if it can be phased over many years.

#### Smith Well Permit Expiration

The Smith Well permit expires in 2011 and there are new Susquehanna River Basin Commission requirements that may include a 72-hour pump test. There are two other unapproved wells that may fall under these requirements as well.

#### Public Roads & Lighting – Christopher M. Skoglund

##### Plank Road Traffic Study

The Secretary will ask the County traffic engineer to amend the study to only eliminate parking on the south side of Plank Road from Main Street to the western

property line of 2 Plank Road to prohibit trucks and other large vehicles from parking in front of the Rutter's store.

### Street Trees

Trees overhanging the right-of-way were trimmed on 43 properties.

## **Public Lands & Buildings and Finance** - Michael W. Ridgely

### Fire Company Radios

The invoice was received for the new radios for the fire company in the amount of \$25,798.24. The funds were budgeted for two years.

M. Ridgely moved to pay the amount of \$25,798.24 to the County of York for the new fire company radio equipment.

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

Fire Chief Tony Myers thanked Council for the continued support and for paying for the new radio equipment.

### Adoption of 2010 Tentative Budget

M. Ridgely moved to approve the adoption of the tentative 2010 budget.

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

### Borough Holiday Tree

Sam's Tree Service completed the second and last inspection and trimming of the tree. The tree has contracted a disease which may kill it in a year or two. Two limbs have already been lost.

B. Sweitzer was asked to start looking for the tree's replacement.

## **ENGINEER'S REPORT**

### Deer Creek Pump Station Sump Line Leak

The sump pump line cracked and creek water is entering the wet well at approximately seven gallons per minute. The sump line is approximately 15 feet deep and very close to Windy Hill Road. Two quotes were received: H & H General Excavating \$2,685.00 and Fitz & Smith \$3,750.00.

R. Buchanan moved to award the sump pump correction work to H & H General Excavating for the amount of \$2,685.00.

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

### Traffic Signal at Market Square

Eng. Holley reported the traffic signal at Market Square is in the process of being upgraded to have the left-turn eastbound arrow.

## **SOLICITOR'S REPORT**

### End-of-Year Ordinances

Sol. Rehmeier has prepared the year-end ordinances for adoption on December 28.

### 21 South Hill Street, Doug Miller Property

The bank has taken back two of Mr. Miller's properties and will more than likely be approaching Council to ask for permission to use 21 South Hill Street for past similar uses. The Zoning Hearing Board ruled the property stopped being used as a non-conforming use and reverted back to a residential use.

### Brad Bennett Request for 64 East Forrest Avenue

Shrewsbury Township's zoning hearing board is to meet on January 27 to hear the application for 64 East Forrest Avenue which will include the storage of used motor oil, in a zone 2 of the wellhead protection overlay district. The Borough will be a party to the application.

### Annual Renewal of Use Certificates

The draft amendment to the Zoning Ordinance that would allow for the annual renewal of use certificates for non-residential uses was sent to the zoning officer.

This will address the fire suppression issue as well and ensure the systems are installed and are still working.

**Public Safety, Welfare and Personnel** – Thomas D. Metz

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

The year-end meeting will be on December 28 at 7:00 p.m.

**York Area Tax Bureau** – Thomas D. Metz

T. Metz stated he learned from the director of the Bureau that the Borough was one of four municipalities where she did not recommend a reduction in the 2010 earned income budget figure. The Borough did not see a substantial hit because of the economy.

**Subdivision, Land Development and Zoning** – Eric W. Stoley

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

**Regional Comprehensive Plan**

The Borough submitted 11 pages of changes; the public hearing was held on December 1. The Planner accepted most of the comments and the modifications are acceptable to E. Stoley.

Our comment on storm water was adjusted as once Act 167 is passed by DEP, municipalities will be required to adopt that with 75% of costs being reimbursed. The Borough is not large enough to require the treatment of runoff.

Four items to be part of the addendum are:

- 1) Required installation of curbs and sidewalks in areas of planned growth: "S" is in this column and should be removed, per the wish of the majority of Council. The Zoning Ordinance calls for curbs and sidewalks and Council has waived the sidewalk requirement in developments in the past. The "S" should be removed from this column.

- 2) Adopt and enforce noise and lighting: That column should be marked "O" as on-going.
- 3) Landscaping provision: The Borough amended the buffering requirements so the "S" should be taken out and replaced with "O" as on-going.
- 4) Capital improvement program: The Borough has a policy in place so an "O" should be inserted in this column.

E. Stoley moved to adopt the tentative draft of the regional comprehensive plan with the understanding the final adoption will take place at the January 4 meeting. R. Buchanan seconded. The motion carried with all in favor.

### **UNFINISHED BUSINESS**

### **NEW BUSINESS**

Since the wooden replica of the town square that was done by a cub scout den has been in the Keeny Room for at least ten years, the leader will be contacted to see if she wants it back. Otherwise, it will be removed from the room.

### **COMMUNICATIONS**

The open house for the new district justice building will be on January 8 from 10:00 to 12:30.

### **ADJOURNMENT**

C. Skoglund moved to adjourn the meeting at 9:36 p.m.  
R. Buchanan seconded. The motion carried with all in favor.

Submitted by,  
Cindy L. Bosley, Secretary