

## MINUTES

### SHREWSBURY BOROUGH COUNCIL

REGULAR MEETING

FEBRUARY 11, 2009

PRESENT: Mayor James W. Reedy, Richard R. Buchanan, Michael R. Caum, Peter W. Schnabel, Christopher M. Skoglund and Eric W. Stoley

#### OTHERS

PRESENT: Jeffrey L. Rehmeyer, II, Esq.; Brian L. Sweitzer, Supt. of Public Works; E. Michael Lee of Codes Enforcement; Tony Myers, Fire Chief, Barb Krebs of The York Daily Record, Phil Robinson

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

After the roll call, an executive session was called at 7:33 p.m. to discuss potential legal issues.

The meeting was reconvened at 8:02 p.m.

#### CITIZEN'S COMMENTS

Tony Myers, Fire Chief, stated January was a very busy month for the fire company with over 100 calls. The fire company is having another breakfast on February 28.

#### APPROVAL OF MINUTES

C. Skoglund moved to approve the minutes of the January 14 meeting.

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

#### APPROVAL OF EXPENDITURES AND REPORT OF ACCOUNTS

C. Skoglund moved to defer approval of the December expenditures and report of accounts until next month.

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

#### BILL LIST

The bill list for January was presented: General account: check numbers 9348 thru 9391; Water account: check numbers 4131 thru 4141; Sewer account: check numbers 3979 thru 3986; Highway Aid: check numbers 783 and 784.

E. Stoley moved to approve the bill list for January.

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

## **SUBDIVISION AND LAND DEVELOPMENT BUSINESS**

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

Vandalism is still a big problem. Buck reported the Borough's curfew ordinance is being challenged by a young man who may be at the next Council meeting. The D.A.R.E. program is not being funded for 2009 so the Department is discontinuing it for the rest of this year. Informally, the school district said it will not fund the program. Buck said Glen Rock Borough asked if their portion of the police budget for 2010 can be no more than \$250,000.00. Buck said there was no guarantee that Glen Rock's portion would be limited to that figure.

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

#### **Junked Vehicles on North Main Street**

Mike reported that Mr. True on North Main Street has cleaned up almost all of the junked vehicles and now has some yard work to do.

#### **S & A Homes Lot in Covington Ridge**

The homeowner is filing suit against S & A Homes because they feel their yard has too much of a slope. Mike did not issue the permit for the house.

#### **Day Care Sign at Corner of West Forrest Avenue and Park Street**

Mike was asked about the wooden sign the day care put up that is now out of business. The property owner promised to take the sign down when the ground thawed.

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

### **Sewer Flows**

Based on the Annual Treatment Plant Proportionate Sharing Report received this week, the Borough's flow proportion dropped almost two percent% from 2007. The Borough was 55.82% of the plant in 2008 compared to 57.75% in 2007. Our flows have decreased to about 50% of the total plant flow. A major leak will be repaired by the Public Works Department that will eliminate about 10,000 gallons per day infiltration into the sewer system.

### **Proportionate Sharing Report**

A meeting is scheduled to meet with New Freedom Borough to go over some concerns. Our 2009 collection budget line is \$130,000.00 short as opposed to the budget figure that was supplied to us in September.

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

### **2009 Road Construction**

Base repairs were done last year on Northbrook Lane and South Highland Drive. The paving estimate is \$125,000.00 compared to the amount of \$80,000.00 in Highway Aid.

### **46 North Main Street Drainage Problem**

The property owner at 46 North Main Street has a concern about Linden Avenue snow melting and entering his sidewalk and constantly freezing and thawing. B. Sweitzer will look at this area the next time it rains. Maybe when the sidewalk project takes place, this area can be corrected.

### **West Clearview Drive Intersection**

Eng. Holley and B. Sweitzer met with the property owner who is receptive to the widening. The proposed widening would be just behind the large rock that is currently at the intersection. In exchange for the widening, it was thought the owner would ask for a sidewalk to be installed along West Clearview Drive on his property.

### **Plank Road Stop Bar**

Our PennDOT representative said a stop bar could be placed on Plank Road without a permit.

C. Skoglund moved that a stop bar be placed on Plank Road at the intersection with Main Street.

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

### Street Sweeping

B. Sweitzer said he will be using Ross Industries for the street sweeping this year. New Freedom Borough was not interested in giving us a price.

## **Public Lands & Buildings and Finance**

### **ENGINEER'S REPORT**

### **SOLICITOR'S REPORT**

#### Eitzert Farms Letter of Credit

In response to a request from the developer's attorney, Sol. Rehmeyer rendered an opinion that Section 508 of the Municipalities Planning Code, which provides a five year protection for certain approved plans, would supersede the three year time period set forth in the Borough's Subdivision and Land Development Ordinance.

#### **Public Safety, Welfare and Personnel** – Michael R. Caum

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

#### **York Area Tax Bureau**

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

CVS decided not to file a variance to request larger signs at the proposed store at the corner of Constitution Avenue and South Main Street.

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

## Regional Comprehensive Plan

The Secretary was asked to obtain a copy of the revised regional comprehensive plan. Pres. Schnabel may attend the March 5 meeting at the Shrewsbury Township offices where the final draft will be presented.

## **UNFINISHED BUSINESS**

### **NEW BUSINESS**

#### Recycling

C. Skoglund noted information on recycling of electronics and construction materials will be included in the next newsletter.

#### Re-appointment to Municipal Authority

C. Skoglund moved to re-appoint Michael P. Smelgus to the Municipal Authority with a term to expire on January 1, 2014.

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

#### Re-appointment to Zoning Hearing Board

C. Skoglund moved to re-appoint John Morrell to the Zoning Hearing Board with a term to expire on January 1, 2012.

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

## **COMMUNICATIONS**

The Attorney General's Office sent Shrewsbury Township a letter that its sludge ordinance is unlawfully prohibitive or limits a normal agricultural operation and it is prepared to bring legal action against the Township.

#### Phil Robinson's Letter Requesting a Meeting

Sol. Rehmeyer addressed Mr. Robinson's letter by electronic mail dated February 4 requesting a meeting with Borough Council consisting of himself and other property owners in Shrewsbury Township to discuss options for them to obtain additional sewer capacity through Shrewsbury Borough for development in

Shrewsbury Township. Mr. Robinson was told that Borough Council is not agreeable to meet as Mr. Robinson presented in his letter. The basis is, a joint meeting was held on January 29 and Mr. Robinson was present at that meeting. The Borough was sued in 1999 by Hopewell Township to try to obtain unreserved capacity but was unsuccessful. Shrewsbury Borough has received a potential threat of litigation and we feel Mr. Robinson's request is a Shrewsbury Township matter.

Mr. Robinson stated he has no other options and that is why he approached Shrewsbury Borough in that he cannot work in the Borough's service area.

### **ADJOURNMENT**

- E. Stoley moved to adjourn the meeting at 8:36 p.m.
- C. Skgolind seconded. The motion carried with all in favor.

Submitted by,

Cindy L. Bosley, Secretary