

MINUTES

SHREWSBURY BOROUGH COUNCIL

REGULAR MEETING

February 11, 2015

PRESENT: Mayor Peter W. Schnabel, Fred W. Arbogast, Richard R. Buchanan, Eric W. Stoley and Michael G. Sharkey

OTHERS

PRESENT: Brian L. Sweitzer, Supt. of Public Works; Margaret "Mieke" Driscoll, Esq.; David Lipinski, P.E.; Fire Chief Tony Myers; Larry Zimmerman; Nate Kirschman; Stan Walters; Keith Hunnings of South Penn Code Consultants; Phil Robinson; Patti Fisher, P.E.; Gloria McCleary; Richard Colton; Dale McCleary

The regular meeting of the Borough Council convened at 7:02 p.m. in the Borough municipal building, 35 West Railroad Avenue, with Vice President Buchanan presiding.

CITIZEN'S COMMENTS

Nate Kirschman, 1 Shetland Drive, voiced his concern about the proposed Exit 4 diverging diamond. The good news is there will be three lanes in both directions. When asked where a design like this could be seen, the answer was there is one in Illinois. E. Stoley has concerns about the traffic studies the York County Planning Commission is using and he spoke with the director, Felicia Dell. The first public meeting will be in about a year and will have an impact on the Case and Keg and Tom's gas station. R. Buchanan stated a video of a small scale diverging diamond should be obtained and put on our website. There should be no crosswalks for public safety reasons.

APPROVAL OF MINUTES

The minutes of the January 14 meeting were approved by unanimous consent.

APPROVAL OF EXPENDITURES AND REPORT OF ACCOUNTS

The January reports will be presented next month.

BILL LIST

The bill list for January was presented: General account: check numbers 12612 thru 12660; Water account: check numbers 5296 thru 5308; Sewer account: check numbers 4935 thru 4947; Highway Aid account: 897.

E. Stoley moved to approve the bill list for January, 2015.
M. Sharkey seconded. The motion carried with all in favor.

APPROVAL OF PAYROLL REGISTER

F. Arbogast moved to approve the January 5 and 19 payroll registers.
E. Stoley seconded. The motion carried with all in favor.

SUBDIVISION & LAND DEVELOPMENT**Apple Tree Court Subdivision Plan, Plank Road**

The final subdivision plan was presented. Outstanding comments from the December 22 Planning Commission meeting were reviewed and are as follows:

1. Payment of all fees(engineer, solicitor, recreation, ect.).
2. Owners' notarized signatures.
3. Signatures and seals of the engineer, surveyor and landscape architect.
4. Surety estimate; improvements are being installed currently.
5. Stormwater management basin: The McClearys' attorney is working with Sol. Rehmyer as to whether the HOA will oversee the basin or if other protective covenants should be set.
6. Modified slant curb may be used in lieu of the standard slant curb.
7. If owner signs the certification on sheet SW1 of 4, how is this requirement transferred to the future lot owners and the HOA – to be done under stormwater maintenance.
8. Sanitary sewer and water connection permits are required for the new building lots. Sewer and water have not been reserved at this time.
9. New valve installed from Greenview Drive. The existing valve is a blow off with 2" curb stop valve.
- 10.Fill dirt: Gloria did not feel any fill dirt will need to be brought in. However, if dirt is required, if it has not already been tested (Messina tract) it must be done per the Borough's standards before the dirt is delivered to the site.

E. Stoley moved to approve the plan conditionally subject to the above ten open items including how the stormwater basin maintenance will be handled and testing of any fill dirt per the Borough's standards.

F. Arbogast seconded.

The motion was amended to add a six month time limit for conditional approval for completion of the conditions.

Thompson Subdivision Plan

Minor subdivision plan was presented for estate planning purposes as no improvements are planned. The plan was originally a three-lot subdivision but the attorney felt that taking the house off was not a good idea. There are still no improvements planned and the property line is being re-allocated, taking off the 7.5 acre lot. They are not dedicating a right-of-way as there is an existing 50 foot right-of-way with PennDOT now. E. Stoley mentioned the conservation plan for the field across the road north of Woodland Drive was provided by the Thompsons and the work will be done in the spring. E. Stoley mentioned that lot 2 is an unusually-shaped lot and will not qualify for a variance in the future. The open items per the December 22 Planning Commission meeting are as follows:

1. Statement of ownership must be signed, dated, and notarized.
2. A non-building waiver has been approved by DEP. The sewer planning module can be signed.
3. All fees to be paid.

E. Stoley moved to waive the 30' additional right-of-way dedication on the east side of Main Street.

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

E. Stoley moved to grant conditional approval to the final minor subdivision plan subject to the three open items listed above and that the conditions be addressed within 60 days.

F. Arbogast seconded. The motion carried with all in favor.

Phil Robinson Heathcote Glen II – Phase III (Township)

Phil is requesting that two additional parcels be included for public water in this development. There is a parcel on Calhoun Road that can be subdivided for two additional lots with a private road. The taps will still be off the main as the previously approved lots will be tapped. The PUC will need to be contacted to ensure that doing this will not bring the Borough under its control.

E. Stoley moved to approve extension of the main to connect parcels 8A and 8B contingent on final approval by the PUC that it will not cause the Borough to be governed by it and to include these two lots in the water agreements.

F. Arbogast seconded. The motion carried with all in favor.

The well on one lot will need to be abandoned. Phil's attorney is working with Sol. Rehmeyer on the HOA and billing agreements.

Codes Enforcement – Keith Hunnings

Three permits were issued in January. There were some snow-related complaints. Keith had a complaint from a resident about a neighboring business having their lot cleared at 4:30 a.m. Keith asked that the nuisance ordinance be clarified as to whether snow removal equipment falls under this ordinance and the answer was, no, that it was not the intent to include snow removal in that it's a health and public safety issue to remove the snow/ice from parking lots and sidewalks. The snow removal ordinance also requires that snow and ice be removed or treated within 12 after snow falls or ice forms. A letter will be sent to the complainant that snow removal is exempt from the ordinance because of health and safety issues. Keith also mentioned that when the Zoning Ordinance is revised next that it be amended to include group homes in all residential zones, per Federal governance.

Southern Regional Police Department – R. Buchanan and Mayor Schnabel

Buck highlighted the report for December. An officer was hired and is in his probationary period. An ad was placed for the part-time administrative clerk. Since there were residual funds, the member municipalities will not see an increase this year since Loganville Borough decided not to hire the Department's services after the budget was completed. Contract negotiations are still on-going.

National Law Enforcement Appreciation Day Resolution #2015-1

The motion to adopt Resolution #2015-1 to officially recognize the Southern Regional Police Department was done at the January meeting.

Water & Sewer – Richard R. Buchanan

Susquehanna River Basin Commission and Well Permitting

The SRBC is reviewing data from the 2013 pump tests. The Smith Well is permitted for 99,000 gallons per day and we are requesting 39,000 gallons per day, which is 60,000

gallons per day less due to the size of the aquifer and the amount of water available. The Blouse Well is permitted for 64,800 gallons per day and we are requesting 89,000 gallons per day. Additional gallons are being requested due to the size of the aquifer and the amount of water available. If we request more water from the original permit for the Blouse Well, the Thompson and Home Wells will be regulated by the SRBC according to its regulations. Because the Home well exceeded 100,000 gallons one month (1986), it falls under the SRBC governance. R. Buchanan will draft a strong letter to the SRBC and get the involvement of our elected officials because to date, the Borough has spent over \$140,000.00 trying to get the two wells re-permitted. These are funds that could have been spent on improving infrastructure.

E. Stoley moved that we pass on asking for the additional 25,000 gallons per day for the Blouse Well.

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

A letter will be sent that the Borough does not want the additional 25,000 gallons per day for the Blouse Well and that the other two wells should not fall under SRBC testing guidelines, since other municipalities were exempted in cases like this.

Messina Highlands' Private Well

There is a private well on this property that probably served the trailer park that should be properly abandoned. Supt. Sweitzer will determine who owns the well and the Public Works Department will have it properly closed.

Southern Farms Pipe Relining

Video Pipe Services must repair a broken lateral connection caused by the cutting tool after the lining occurred.

E. Stoley moved to approve payment of the Borough's share of \$131,948.06 to Video Pipe Services pending final approval of the project by Supt. Sweitzer and Eng. Lipinski.

F. Arbogast seconded. The motion carried with all in favor.

Shrewsbury Village Shopping Center Grease

The management of the shopping center was notified about grease clogging the sewer main and the lateral. Kline's will flush and vactor the grease from the lines. Supt. Sweitzer is meeting with the shopping center representative on February 13. The costs to date are \$1,675.00. Council said a first offense fine should be levied as well as an invoice for cost reimbursement.

Deer Creek Force Main Repair

The cost of the emergency repair on the force main was \$12,600.00. The work eliminated the 90° bends with 45° bends with proper pipe lengths.

Asbestos Cement Pipe

A recent article recommended replacement of asbestos cement pipe. Our system has about 49% asbestos cement pipe.

Public Roads & Lighting – Michael G. Sharkey

Mount Airy Road Traffic Redesign

Supt. Sweitzer met with Gary Tipton of PennDOT on January 20 at the site. PennDOT would like a letter from the Borough requesting the delineators.

A letter will be sent asking for the delineators and the shopping center management will be contacted about traffic flow.

Public Lands, Buildings and Finance – Supt. Sweitzer

Eagle Scout Project Generator Building

Justin Reed completed his project of renovating the generator building at the Park. New T111 siding was placed on the exterior walls, insulation/noise proofing of the interior, painting, installation of a fence around the exhaust and new electrical connection were performed. The project cost was \$1,233.96 and \$1,500.00 was budgeted.

Girl Scout Project

The play equipment project will begin on March 21.

Borough Building Boiler

Plumbers installed two circulators and restarted the system last week. The fan also had to be replaced. Parts for the boiler are going to be difficult to get, except the circulators. Supt. Sweitzer will present a cost report for the past five years. The boiler was installed in 2001.

Threshold for Capital Assets

The auditor is recommending the threshold for capital assets be increased from \$500.00 to \$1,000.00 or higher. The low threshold results in a very large number of paid invoices having to be pulled for the audit.

E. Stoley moved to increase the capital asset threshold to \$2,500.00.

F. Arbogast seconded. The motion carried with all in favor.

2014 Proportionate Sharing Report

The budget figure given Shrewsbury Borough was \$600,000.00 and the quarterly invoices for 2015 total \$724,064.00. R. Buchanan will meet with Brady Terrell from New Freedom Borough Council in a few weeks. We should have a final, good budget figure by September 15.

ENGINEER'S REPORT

Johnson Controls

Eng. Lipinski supplied the Borough with a CD and a hard copy of the TRG traffic study. TRG is coordinating the Johnson Controls project with the Exit 4 improvements by PennDOT and TRG will also coordinate the entire signalized corridor from Wolfe Road to Main Street.

AutoZone, 95 East Forrest Avenue

AutoZone originally informed the owner that they could work with the steep driveway but now that corporate has reviewed the plans that were presented to the Borough, AutoZone has stated that the 13% grade is not acceptable.

Thompson Farm Stormwater Runoff Issue

An E & S plan was developed for the Thompson farm on January 14, 2015, and these measures will be implemented this spring/summer as weather allows.

Community Block Grant Awards

The Borough did not receive a grant for this three-year cycle and did not make the short list.

SOLICITOR'S REPORT

Dangerous Building Ordinance

The ordinance was revised to add language adding additional time for commencement or completion of work, upon good cause shown.

E. Stoley moved to adopt Ordinance #2015-1.

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

PennDOT Pipe Replacement under I-83

PennDOT is preparing to bid the pipe replacement project out that is near the Pumphouse wells. PennDOT will provide the following documents to the Borough for the project: a summary with regard to emergency preparedness, prevention and contingency plan that must be approved by the Borough; a work area drawing stating the temporary construction easement will be fenced; project memo that highlights some of the measures relative to the work; and an insurance certificate naming the Borough as an additional insured rather than a certificate holder. E. Stoley wants PennDOT and each subcontractor to sign an indemnification agreement holding the Borough harmless before any work is started. This will be taken back to PennDOT, who feels it has gone beyond what is normally done.

Eitzert Farms

The developer feels that additional stormwater facilities will be necessary for the project.

Keller Brown Insurance

CGA Law Firm supplied Keller Brown Insurance with a sample document for them to utilize with regard to cross access for parking at 9, 13 and 15 South Main Street since they own both properties.

Right to Know Law Policy Documents

Since there has been a change in leadership at the Pennsylvania Office of Open Records, documents should be amended to remove the specific name and insert the title executive director in its place.

Gun Laws

The Gun lobby is becoming aggressive and is filing lawsuits against municipalities regarding gun regulations. The Borough's discharge ordinance will be reviewed.

Right to Know Seminar

CGA Law firm is holding a seminar on March 26.

Municipal Baseball Game

CGA Law Firm will be hosting the game on May 8.

Public Safety, Welfare and Personnel – Fred W. Arbogast

2015 Dog Officer Contract

The contract was duly signed.

Emergency Management Seminar

F. Arbogast attended the elected officials' seminar last Saturday and there are two recommended on-line classes.

Secretary's Report – Cindy L. Bosley

York Adams Tax Bureau – Michael G. Sharkey

The meeting has been rescheduled for February 23 because of bad weather.

Subdivision, Land Development and Zoning – Eric W. Stoley

Planning Commission/Regional Planning Commission – Eric W. Stoley

UNFINISHED BUSINESS

NEW BUSINESS

Issue Control Sheet

The sheet was updated accordingly.

COMMUNICATIONS

A thank you note was received from Troop 20509 for the donation given them for participating in the tree lighting.

An invitation arrived from the Rose Fire Company for the annual appreciation banquet.

A letter was received from the York County Planning Commission for the vacancy in region 1.

Council Resignation

Carl Munch submitted his letter of resignation effective today which was accepted by unanimous consent.

ADJOURNMENT

The meeting was adjourned at 9:48 p.m.

Submitted by Cindy L. Bosley, Sec.