

MINUTES

SHREWSBURY BOROUGH COUNCIL

REGULAR MEETING

JANUARY 12, 2005

PRESENT: Mayor James W. Reedy, Richard R. Buchanan, Frederick C. Noble, 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; Barb Krebs of The York Daily Record; Mr. and Mrs. Walter Jones; Mr. and Mrs. Todd Parker; Chief James Childs; Charles Fader; John Speights; D. Gray and Kelly Gray

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.

Chief Childs was present to explain the detailed daily activity report that shows the date, time period, code, comment, units and time (in minutes). One example was a call dispatched by County Control for an ambulance call and after more information was obtained, the officer logged out. No time was spent but it shows up as a call on the reports. When an ambulance call comes in, the officers are not given a lot of information so they must ask in each instance so they can better judge if they should respond. In most cases, the officer arrives before the ambulance or medic and they have saved lives by arriving first. Chief Childs read a letter of support from Fire Chief Anthony Myers asking for the continued cooperation in responding to medical assists. Chief Childs stated they do not normally respond to the Lutheran Home, which has medical personnel on staff, but they do respond to the Strasburg Haus. Each ambulance call shows up as an incident. They only respond to the cottages or Zimmerman Place if requested by the EMS as the State Police do not respond to ambulance calls.

False alarms were discussed. There were 150 in 2004. Chief Childs stated under the Pennsylvania Crimes Code, the police are allowed to cite after three false alarms. Chief stated they try to train and educate the property owner. Alarms will be tracked differently in 2005. False alarms take time away that could be spent patrolling or on speed enforcement. The average time for an alarm call is one half hour to 45 minutes. An alarm call will show as an incident but in some instances no time was counted.

Chief stated most of the citations issued in the Borough are at the first Shrewsbury Square Shopping Center exit for left-turn violations. Motorists are turning left or straight even though an officer is sitting there. Chief Childs stated he believes the painted-on 25 mph speed limits on Covington Drive is a great help. He is checking into other eye-catching signs that we may want to start using.

Service Awards

At this time, President Schnabel presented Christopher Skoglund with a ten year service award from the York County Boroughs Association. President Schnabel received an award for 20 years of service.

Alternates for Zoning Hearing Board

Charles Fader and John Speights were present at the request of Council. The duties of the Zoning Hearing Board were explained and the applicants were invited to attend the February 3 hearing to see if they are still interested in serving.

CITIZEN'S COMMENTS

Todd Parker of 421 South Main Street was present about the rat problem he believes is caused by the former feed mill property at 423 South Main Street. His two Husky dogs killed seven rats and he has set two rat traps that are tripping but not catching the rats. The feed mill has been gone for several years and the rats are probably running out of food.

Walter Jones, owner of 423 South Main Street stated he has been setting out poison for four years and Terry Hemler, the Borough's animal control officer, set four rat trap boxes down for a week and did not catch any rats. He is going to set the traps in the rear building to see what is in that building.

Solicitor Rehmeyer thanked the Jones' for their cooperation in trying to solve the problem and that this situation would be enforceable under the nuisance ordinance. The zoning hearing decision states the Jones' would work toward cleaning up the property, removing the trucks and equipment over time.

D. Gray of 419 South Main Street stated he had a large rat in his basement. He is concerned the rats are spreading out into the neighborhood.

APPROVAL OF MINUTES

F. Noble moved to approve the minutes of the December 8 and 29 meetings.
E. Stoley seconded. The motion carried with all in favor.

APPROVAL OF EXPENDITURES AND REPORT OF ACCOUNTS

F. Noble moved to approve the expenditures and report of accounts for November, 2004.
C. Skoglund seconded. The motion carried with all in favor.

BILLS

The bill list was presented for December: General account: check numbers 6491 thru 6538 totaling \$58,133.82; water account: check numbers 3142 thru 3160 totaling \$11,729.94; sewer account: check numbers 2659 thru 2671 totaling \$202,558.88; highway aid: checks 632 and 633 totaling \$272.35; total disbursements \$272,694.99.

E. Stoley moved to approve the bill list for December.
R. Buchanan seconded. The motion carried with all in favor.

SUBDIVISION AND LAND DEVELOPMENT BUSINESS

REPORTS

Codes Enforcement – E. Michael Lee

Weaver Precast

Mike stated the engineers have been in contact with each other about reinstalling the pond. It appears the cement has been removed from the neighbor's property.

Covington Ridge II Slope and Grading Problem

There have been several meetings with S & A Homes. They are in the process of notifying the property owners that grading work will be required for their property and asking for their cooperation. If the property owner does not cooperate, the

Borough will need to step in. No monies from the letter of credit will be released until the problems are corrected.

Yearly Report

Mike presented Codes Enforcement's annual report showing each municipality's new construction, cost, etc.

Revised Fee Schedule

Changes were made in the UCC Code Inspection fee portion of the fee schedule as a result of increased inspection requirements and energy audit checks. Mike had hoped the UCC would lift the drywall inspection requirement, but they did not. Previously, the inspections were billed after the permit was picked up and the contractors preferred that the number of inspections be increased and paid for at one time. The fees are paid by developers and turned over to the Borough for reimbursement to Codes Enforcement. The Borough retains 10%. Mike said the only reason the fee would increase next year is if L & I makes a major change and pushes some inspections off on local inspectors.

F. Noble moved to adopt Resolution #2005-1 amending the fee schedule.
R. Buchanan seconded. The motion carried with all in favor.

Doug Wilmer requested three EDUs for use at property at 2 – 6 South Park Street. There is currently one EDU for the Church and one EDU for the house next door. He had plans to develop the rear of the Church but was told there may be a graveyard under the parking lot as the stones were moved several years ago and placed in a row in the rear of the property. He was also told to retain an engineer and real estate attorney to help him decide how he can utilize the property according to the ordinances. The EDUs are available if he can do what he wants in accordance with the ordinances and only reserved by payment.

OTHER REPORTS

Water & Sewer – Richard R. Buchanan

Keeny Well

A potential site was picked for the Anderson property, but sewer EDUs are requested in exchange for the property. Three other sites on the Cornerstone property have been staked which may be better sites for water yield and DEP permitting. The sites will be plotted on the development plan with negotiations with Cornerstone for land purchase.

Pumphouse Wells

Kinsley Construction is constructing the buildings at Production Wells 1 and 2. The water line from the new wells to the old well was tested and is complete but the new casing pipe in the new well buildings must be raised before work on the new wells can continue. We are still waiting on DEP's approval on the weir schematic that will monitor the creek levels. It's hopeful that the new wells will be finished and in operation by April, 2005.

Radiological Tests

In November of 2002, our water was tested for Uranium, Gross Alpha, Radium 226 and Radium 228 per DEP's Radionuclides Rule. If the samples passed State requirements prior to 2003, the Borough would not have to sample quarterly in 2004. BH Laboratories did the testing and the samples passed the quality requirements, but the detection limits did not meet the requirements. It turns out that BH was not licensed to complete the tests and subcontracted with General Engineering unbeknownst to the Borough. General Engineering is licensed to perform the tests, but did not perform the tests according to DEP standards. The sample results are not eligible for the reduced sampling because of the lab error. Analytical Labs has bought BH Laboratory and Brian is working with them for total compensation for the error but Analytical Labs believes it is not liable for BH Laboratory's error. Brian received a call today from Analytical Laboratory that they will pay the \$10,000.00 if we remain a customer. Brian was told to get this in writing.

Public Roads & Lighting – Christopher M. Skoglund

Plowing Streets in Covington Ridge II

We still need to check the liability issue with Solicitor Rehmeyer before we agree to plow and cinder the unadopted streets.

Storm Drains

The storm drains will be cleaned out during the week of January 17.

Public Lands, Buildings and Finance

Adopt Capital Improvement/Capital Asset Threshold

Under the new GASB requirements, we need to track capital improvements and capital assets over a certain amount to be set by Borough Council.

E. Stoley moved to set the amount of \$5,000.00 as the threshold for tracking capital improvements and capital assets.

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

2004 Audit

The 2004 audit will begin this Friday.

Right of Way Agreement with Churches

E. Stoley moved to approve the signing of the right of way agreement with Christ Lutheran Church and St. Paul's UCC for access to the new public works pole building.

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

ENGINEER'S REPORT

Covington Ridge III Planning Module Waiver

C. Skoglund moved to authorize the signing of the Sewer Planning Module Waiver for Covington Ridge III, 15 EDUs.

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

Keeny Well

A drawing showing three potential locations for the new wells was sent to Phil Robinson for discussion with Cornerstone.

Act 57 Capital Improvement Fee Calculations

By July 1, we need to recalculate our tapping fees in accordance with Act 57 that amends Act 203 and must then be adopted by ordinance.

Proportionate Sharing Report

Eng. Holley will review the report.

Public Works Maintenance Building

A lease purchase/build option with a five year buy out will be pursued. Also, a cost will be obtained for a masonry building for comparison.

New Wells - Control System

Tom Simmons felt he should not have to pay as much since the computer software will eventually handle more than just the readings at the wellhouse.

R. Buchanan moved to accept the amount of \$7,570.00 as the Borough's share of the control system.

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

SOLICITOR'S REPORT

Cable Franchise Agreement

A signed copy is now in the Borough's files.

Windy Hill Road Manholes

An offer of \$1,000.00 was received from PennDOT as a proportionate share of the estimated \$2,500.00 expense required to uncover the manholes that were paved over by PennDOT last year. PennDOT said it notified the Township of the paving and that is part of the reason why the Department is not willing to pay all costs

involved. Had we received proper notice, this would not be an issue. Sol. Rehmeier will contact the Township.

Lease with Penn-Mar – 44 South Main Street

Sol. Rehmeier has received the information from Penn-Mar regarding its scope of services and it is being incorporated into the lease.

Grim's Glass & Plastics

No update has been received from Mr. Miller's attorney.

I-83 Rest Stop EDU Issues

A copy of a water agreement was sent to PennDOT that stated PennDOT will be charged the same as other customers implying they should be subject to the same EDU fees.

Alarm System Ordinance

Sol. Rehmeier will contact Fire Chief Myers to see if false alarms are a problem for the fire company.

Extended Family Dwelling Hardship

The Borough Planning Commission's comments have been received and Sol. Rehmeier will forward the proposed revision to the York County Planning Commission.

Public Safety, Welfare and Personnel – Frederick C. Noble

Tax Collector Commission

Based on comparisons with other municipalities, it was the consensus of Council to keep the rate at 3%.

Secretary's Report – Cindy L. Bosley

Community Information Guide

The Secretary was directed to go ahead with another community information guide that will be produced and distributed free of charge.

York Area Tax Bureau – Frederick C. Noble

Fred reported we received close to what was budgeted.

Planning Commission/Regional Planning Commission – Eric W. Stoley

The two prospective zoning hearing board alternates were told to attend the next zoning hearing, February 3, and let Council know if they are still interested in the positions. Also, Eric stated a replacement needs to be found for him on the Regional Planning Commission.

Subdivision, Land Development and Zoning – Eric W. StoleySouthern Regional Police – Richard R. Buchanan

The reports for November and December were received for the meeting. Buck stated the out of area time was up because of the York County Drug Task Force, which money will be reimbursed by the County. There was discussion as to why our time is greater – what are the reasons for the increased costs. The costs will soon be beyond the Borough's ability to afford the regional police. C. Skoglund recommended a subcommittee, possibly the Public Safety, Welfare and Personnel Committee, meet to discuss why the time and costs are escalating.

UNFINISHED BUSINESSPublic Works Salary Review

After comparison, it was felt we are in line with the entry level salary with other municipalities. Incentives for new hires will be: for working toward the water operator's license they will receive 25¢ an hour increase for each successfully completed class and then \$1.00 per hour increase when the license is received. If

an employee successfully obtains a backhoe operator certificate, he will receive an increase of 35¢ per hour.

NEW BUSINESS

Eitzert Farms Development

Fred said he received a call from Mrs. Eitzert that the staff review comments indicated that West Church Ave. was not going to be renamed Eitzert Way when this street is extended into the new development. It was the consensus of Council to keep the name of West Church Ave. because the two houses on that street have been there for about 40 years and for emergency reasons, it's not a good idea to change the names of existing streets.

OTHER BUSINESS

COMMUNICATIONS

ADJOURNMENT

E. Stoley moved to adjourn the meeting at 11:20 p.m.
F. Noble seconded. The motion carried with all in favor.

Submitted,

Cindy L. Bosley, Secretary