

## MINUTES

## SHREWSBURY BOROUGH COUNCIL

REGULAR MEETING

JANUARY 10, 2007

PRESENT: Mayor James W. Reedy, Richard R. Buchanan, Michael R. Caum, Thomas D. Metz, Michael W. Ridgely, Peter W. Schnabel and Christopher M. Skoglund

## 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; Dr. Paul Stadler; Dr. Steven Haywood; Keith Wills; Kenneth Zampier, Mark and Bonnie Winter; James Myers; Ken Hoke

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

**CITIZEN'S COMMENTS**

Ken Zampier and Strickler Signs displayed the type of LED sign Ken would like to install at his shop. The sign is programmable and the message changes at intervals and will automatically dim as daylight fades away. Sample ordinance wording will be provided by the sales representative and will be forwarded to the Subdivision and Land Development Committee.

Dr. Paul Stadler and Dr. Steven Haywood were both present at the request of Council for their opinions on adding fluoride to the Borough's water system, which may be mandated in the future. Both dentists spoke in favor of adding fluoride, but that we may want to keep the ratio below one part per million and to check for purity when purchased. Large municipal water systems already add fluoride and bottled water is usually filled using municipal systems and the soft drink manufacturers also utilize water from large water systems. Consumers are probably already receiving some fluoride in their diets. Fluoride could be considered an element in nutrition. Resident Mark Winter spoke in favor of adding the fluoride.

Mark and Bonnie Winter, 311 West Forrest Avenue

The Winters received a letter to remove the pine tree that is in the line of sight distance at their property. They are adamantly opposed to this and feel the speed of motorists and sight distance to the west are part of the problem. There is a utility box on the utility pole at this intersection that is higher than three feet. They would like to see a "busy intersection" sign placed to the west of their property and a stop sign placed on Forrest Avenue at Kratz Road heading east. The Winters have the option to remove the tree; reposition the tree; satisfactorily trim the tree or place a parabolic mirror at the intersection that would be their responsibility to maintain.

A utility pole is allowed be in the line of sight as long as it's 12" or less and utility boxes need to three feet or lower.

A letter will be sent to the utility asking that the box either be lowered or raised. The Borough will request a traffic study for a stop sign on Forrest Avenue. Buck will ask the police department for speed control. The Winters will trim the tree and the Committee will revisit the site.

Keith Wills, representing the Valley View Grove Home Owners Association

The residents have not heard from Cornerstone as to how they plan to correct the retaining walls and the pond is still not draining as it should. Eng. Holley stated his office wrote to John Heinke of Cornerstone with no response. He was asked to send another letter stating that the Borough will have the work done and use the funds left in the letter of credit.

James Myers, owner of 33 South Main Street, was present about amounts outstanding from 2000 for water, sewer, refuse, four mowing charges, and attorney's fees. Mr. Myers stated no one was living at the house since 1999 and he feels he should not have to pay all of the amounts due. The Borough lost contact with Mr. Myers in 2000 and the mail was returned.

Mr. Myers was told that everyone has to pay the refuse fee even if a property is vacant and that starting January 1, 2007, he will have to pay a quarterly refuse bill. He was also reminded of the requirement to clear the sidewalks of snow and ice within 12 hours of snowfall or ice forming.

In order to settle the matter tonight and clear the books, the amount of \$3,000.00 was accepted by Mr. Myers' acquaintance who offered to give the Borough a check this evening as settlement or there would be a payment plan involved.

### **APPROVAL OF MINUTES**

T. Metz moved to approve the minutes of the December 14 and December 27 meetings.

M. Caum seconded. The motion carried with all in favor. C. Skoglund abstained for the December 27 minute approval as he was not at that meeting.

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

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

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

### **BILL LIST**

The bill list was presented for December. General account: check numbers 8083 thru 8155; Water account: check numbers 3715 thru 3731; Sewer account: check numbers 3673 thru 3686; Highway Aid: check numbers 731 thru 736.

M. Ridgely moved to approve the bill list for December.

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

### **SUBDIVISION AND LAND DEVELOPMENT BUSINESS**

#### **REPORTS**

**Codes Enforcement** – Michael Lee

Laurence Wirtz

Codes Enforcement sent a letter to Mr. Wirtz explaining what will be required to correct some violations in an addition that was done without a permit or inspections.

### Day Care at 2 South Park Street

Sol. Rehmeyer will be sending a letter to the day care owners regarding some violations.

### ADA Audit

Every two years, three properties are audited for ADA requirements. Two properties passed 100% but in the third property, some toilets were changed out and signs were removed.

Mike Lee will send a memo suggesting to help stop changeouts after inspections are done that an inspection and a certificate need to be done on a yearly basis.

### Re-appointment

At the request of Codes Enforcement:

M. Ridgely moved to re-appoint EML (Codes Enforcement) Inc. – inspectors, E. Michael Lee and Herbert Daugherty and BCO will be E. Michael Lee with backup being Commonwealth Inspection Services with Pete Schilling as backup BCO. M. Caum seconded. The motion carried with all in favor.

### Water & Sewer – Richard R. Buchanan

#### Mandatory Water Connection

R. Buchanan moved to adopt Ordinance 2007-1 requiring the connection to the Borough's public water system.

M. Caum seconded. Roll call vote:	Buchanan	yes, in favor
	Caum	yes, in favor
	Metz	yes, in favor
	Ridgely	yes, in favor
	Skoglund	yes, in favor
	Schnabel	yes, in favor

R. Buchanan resolved that the 33 identified property owners who need to connect to the water system not be charged the tapping fee if connection is made within the next 12 months. The fee will be waived if other properties are identified.

M. Ridgely seconded. The resolution passed with all in favor.

M. Ridgely moved that in support of Ordinance 2007-1 permission be granted that the Finance Committee, be empowered, if necessary, to utilize a cross-accounting loan from the sewer account in order to pay for the Borough's cost in the mandatory water connections.

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

### Fluoride

A letter was received from Dr. Fabio Beltran supporting the addition of fluoride to the water system.

### Private Well Closing

Brian met with 16 of the 33 Borough residents that do not have Borough water and must connect to our system. Another letter will be sent asking for a response.

### 2006 Sewer Flows

The sewer flow total for 2006 was 233,070,000 gallons compared to 292,694,000 in 2005. The 2005 precipitation totaled 39.96 inches and the 2006 precipitation was 43.67 inches which proves our inflow/infiltration maintenance is lowering our sewer flows and reducing our treatment costs. In 2006, there were 3.71 inches more precipitation than in 2005 with 59,624,000 gallons less sewer flow or 163,353 gallons per day. The Borough also added 50 new sewer customers in 2006. The goal is to cut the sewer flows under 200,000,000 for 2007 by using the new camera and budgeted monies for 2007.

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

**Public Lands & Buildings and Finance** – Michael W. Ridgely

Scout House Addition

A price for a 15 foot by 24 foot addition is \$14,900 without any interior finish, electric or painting.

Funds will be budgeted for the 2008 budget. The work will need to be bid out.

### 33 South Main Street

If the check given the Borough this evening comes back from the bank, efforts to collect the monies will be pursued.

M. Ridgely moved to release the funds required to begin Sheriff's Sale proceedings if the check comes back from the bank.

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

### Bonus Plan

The proposed employee bonus plan was handed out.

## **ENGINEER'S REPORT**

### Kimco Realty Letter of Credit

Since the wet well probe, SWIP testing, and the final inspection and start up was done, Kimco Realty is requesting release of the \$40,000.00 letter of credit held.

Permission was given to release the letter of credit.

### Buffer Zone behind Cardinal Drive

There are a few dead trees in the buffer zone that will need to be replaced in the spring.

### Cost Sharing Report

We are currently using 58% of our capacity of our share in the plant. New Freedom Borough should be notified we are not using the services of Eugene Wolf as the sewage inspector.

## **SOLICITOR'S REPORT**

### Michael Eagan Land Use Appeal

Mr. Eagan's attorney stated he will be meeting with his client to see if he intends to pursue the appeal.

### Grim's Glass & Plastics, Inc.

The contract purchaser for the property has contacted Codes Enforcement regarding altering the non-conforming use.

### Laurence Wirtz

Mr. Wirtz has obtained the necessary building permit and he is to call Codes Enforcement by January 18 to schedule a more detailed inspection.

### I-83 Rest Stop

A letter was sent on December 14 to Attorney Jason Sharp at PennDOT and Sol. Rehmeier is waiting on a response.

### York County Solid Waste and Refuse Authority

The Authority is in the process of expanding the York County Resource and Recovery Center and is requesting the Borough continue to direct its municipal waste to the Center.

C. Skoglund moved to authorize the execution of the agreement.

T. Metz and R. Buchanan seconded. The motion carried with all in favor.

### Eitzert Farms Easement on Lot 1

An easement for Lot 1 will be signed by Nottingham Residential Equities, LLC for the adjacent property owner's use. The easement will not impact the lot size. Sol. Rehmeier will prepare an opinion letter.

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

A letter applauding the public works department was received from Lutheran Social Services for their quick response and help during a recent water break.

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

The 2006 audit will begin January 29.

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

T. Metz stated he will be attending the Bureau's first quarter meeting on January 29.

**Subdivision, Land Development and Zoning****Regional Planning Commission**

A response was received from our letter to Shrewsbury Township asking how the regional planning commission can function without a quorum.

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

The police report for November was briefly reviewed.

**UNFINISHED BUSINESS****NEW BUSINESS****OTHER BUSINESS****COMMUNICATIONS****ADJOURNMENT**

M. Ridgely moved to adjourn the meeting at 10:05 p.m.

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

Submitted by Cindy L. Bosley, Secretary