

MINUTES

SHREWSBURY BOROUGH COUNCIL

REGULAR MEETING

JULY 13, 2011

PRESENT: Mayor Peter W. Schnabel, Richard R. Buchanan, Carl W. Munch, Michael W. Ridgely, Michael G. Sharkey, and Jason J. Traband

OTHERS

PRESENT: Jeffrey L. Rehmeyer, II, Esq.; James R. Holley, P.E.; Brian L. Sweitzer, Supt. of Public Works; E. Michael Lee and Ethan Poe of Codes Enforcement; Tony Myers, Fire Chief; David Schwalm, Esq.; Boy Scout Ryan Gloeckner; Barb Krebs of The York Daily Record; Larry Zimmerman; Collin J. Rehmeyer

The regular meeting of the Borough Council convened at 7:30 p.m. in the Borough Municipal Building, 35 West Railroad Avenue, with President Ridgely presiding.

CITIZEN'S COMMENTS

Larry Zimmerman, Shrewsbury Events Committee and shop owner, asked for permission to close Kreeger Alley to vehicular traffic for the Fall Fest on October 15 from 8:00 a.m. until 4:00 p.m. The owner of the adjoining properties has given permission. Temporary barricades will be used.

M. Sharkey moved to give permission for the alley to be temporarily closed to vehicular traffic.

J. Traband seconded. The motion carried with all in favor.

R. Buchanan was asked to confirm this event with Chief Boddington.

APPROVAL OF MINUTES

The minutes of the June 8 meeting were approved by unanimous consent by those who were at that meeting.

APPROVAL OF EXPENDITURES AND REPORT OF ACCOUNTS

C. Munch moved to approve the expenditures and report of accounts for June.

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

BILL LIST

The bill list for June was presented: General account: check numbers 10657 thru 10692; Water account: check numbers 4593 thru 4609; Sewer account: check numbers 4341 thru 4353; Highway Aid: check numbers 843 and 844.

C. Munch moved to approve the June bill list.

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

PAYROLL REGISTER

C. Munch moved to approve the June 13 and 27 payroll registers.

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

SUBDIVISION AND LAND DEVELOPMENT BUSINESS

Southern Regional Police Department – Richard R. Buchanan

The Police Commission did not meet because of the carnival. An arbitration meeting with the police officers' union will be held on July 28.

Codes Enforcement – E. Michael Lee and Ethan Poe

92 Skyview Drive and 29 Covington Drive

Attempts were made by the property owners to comply with the enforcement notices and are still not in compliance despite attempts by Mike to call.

R. Buchanan moved to have Sol. Rehmeyer send the property owners letters.

J. Traband and C. Munch seconded. The motion carried with all in favor.

6 Covington Drive, 40 and 44 East Tolna Road

Complaints were received regarding outdoor stockpiling and high grass. Enforcement letters will be going out tomorrow. The vehicles at 44 East Tolna

Road are all inspected. Mike was asked to look at a retaining wall in this area as well.

Papas Complaint

The equipment is in the process of being removed but the two unregistered vehicles have not been moved. An enforcement notice was sent.

EXECUTIVE SESSION

An executive session was called at 7:50 p.m. to discuss current litigation. The meeting was reconvened at 8:57 p.m.

R. Buchanan moved to conditionally approve the Release and Settlement Agreement with the Shrewsbury Shopping Center and the other parties involved in the litigation with the following changes:

- 1) Page 2, paragraph "G", first line: take out the words "EDU allocation to" and replace with "EDUs available at"
- 2) Page 2, number 1, second line: take out the word "approximately"
- 3) Page 3, paragraph 2, third line: take out the words "and is expected to produce in the future"
- 4) Page 3, paragraph 4, third line: replace the word "presently" with "formerly" and the fourth line: add "former" in front of McDonald's
- 5) Page 5, paragraph 13, second line from the bottom: remove the word "and" and just say "Township or the Borough"

M. Sharkey seconded the motion.

The motion carried with all in favor. Accordingly, President Ridgely has the authorization to sign the Agreement if the changes are approved by all of the other parties and the conditions of the motion are thereby satisfied.

Water & Sewer – Richard R. Buchanan

Southern School District Sewer Inspection

The Public Works Department televised the sewer lines from the District's main campus to Seitzland. Six pipe problems were found that will be addressed by an independent contractor retained by the School District. The cost was \$4,983.20 and has been paid.

Water Billing

An accounting was presented showing the last five years of water billing and revenue. The unaccounted water for the second quarter is less than one percent, which is very good.

There will be no need to raise water rates at this time.

Public Roads & Lighting

Ascot Drive Extension

President Ridgely drafted an agreement to be signed by the Borough and the Township for future maintenance of Ascot Drive. The Borough will assume responsibility for all snow plowing in exchange for the liquid fuels funds for the Township portion of the road being given to the Borough by the Township annually. Future maintenance will be shared equally between the Borough and the Township.

M. Sharkey moved to approve the agreement subject to the addition in the first paragraph, "from the intersection of Ascot Drive and Cardiff Road back to the cul-de-sac."

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

Street Cut Ordinance

Ordinance 2005-10 regulates excavation in the Borough's roads. This would not cover State roads as PennDOT has its own permit process; the \$90.00 is just for a road cut on the Borough-owned street. It was suggested that under Item 4, a resolution be adopted to set fees for hourly inspections of the cuts. Sol. Rehmeyer will draft a short resolution for adoption next month.

Public Lands & Buildings and Finance

C. Skoglund will present the mid-year budget review in a written format.

ENGINEER'S REPORT

2011 Paving Project

The original contract price was \$78,526.83. Some additional base repair was done and there was an additional charge of \$7,500.00 for fabric that was placed under Foxtail Court. The bid included one square yard of fabric. The area of the cul-de-sac was underestimated and there was an adjustment for as-built quantities. The additional \$24,333.31 is for the fabric and additional tonnage. Eng. Holley recommends payment of the bill to Shiloh Paving and Excavating in the amount of \$102,860.14. The amount budgeted was \$100,000.00.

M. Sharkey moved to pay Shiloh Paving and Excavating the amount of \$102,860.14.

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

SOLICITOR'S REPORT

21 South Hill Street

Gymnastics of York and the bank have requested a meeting with the Borough representatives and neighbors. They provided some possible meeting dates in July.

Amendment to Buffer Easement

The signed agreement was recorded.

Stormwater Management Updates Required by DEP

Eng. Holley's office is drafting an ordinance; the deadline for adoption is October 12.

Use of Baseball Field and Park

Currently, the ballfield scheduler requires proof of liability insurance. The Borough should consider if it wants to post warning signs at the ballfield to warn spectators of foul balls, etc.

Operational Assistance Agreement

The Municipal Authority approved the operational assistance agreement that memorializes the past and current relationship between the Borough and the Authority. Council could approve the agreement in the current form.

Public Safety, Welfare and Personnel**Fire Police**

A request should be made in writing by a municipality requesting the services of fire police for events. The Secretary was asked to contact the insurance carrier to see if the fire police are covered by workers compensation if they go out of State. A request was received from Springfield Township.

Secretary's Report – Cindy L. Bosley**York Area Tax Bureau** – Michael G. Sharkey

The next meeting is July 25; the by-laws will be discussed.

Subdivision, Land Development & Zoning**Planning Commission/Regional Planning Commission****UNFINISHED BUSINESS****Issue Control Sheet**

The list was updated as necessary.

NEW BUSINESS**Memorial Contribution**

C. Munch moved to make a memorial contribution to M & T Bank care of William Murphy for Patrick Murphy in memory of Emma Murphy in the amount of \$150.00.

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

EXECUTIVE SESSION

An executive session was called at 10:15 p.m. to discuss other pending litigation. The meeting was reconvened at 10:38 p.m.

Committee Appointments

C. Munch moved to make the following appointments:

Herbert Baker to the Municipal Authority

Ted Nadobny to the Wellhead Protection Committee

Tamara Hatcher to the Planning Commission

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

COMMUNICATIONS

ADJOURNMENT

M. Sharkey moved to adjourn the meeting at 10:40 p.m.

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

Submitted by,
Cindy L. Bosley, Sec.