

MINUTES

SHREWSBURY BOROUGH COUNCIL

REGULAR MEETING

JUNE 8, 2011

PRESENT: Mayor Peter W. Schnabel, Richard R. Buchanan, Carl W. Munch, Michael W. Ridgely, Michael G. Sharkey, Christopher M. Skoglund, Eric W. Stoley 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 of Codes Enforcement; Ethan Poe; Police Chief James Boddington; Robert Fisher; Nick Caruccio; Herbert Baker; Tamara Hatcher; Ted Nadobny; Larry Zimmerman

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

CITIZEN'S COMMENTS

Nick Caruccio, 9 Crosswind Drive, said motorists do not stop at the stop signs at the intersection of Tolna Road and Crosswind Drive. These signs were placed a long time ago and today's traffic studies will not support stop signs for speed control. Motorists need to be careful when pulling out from Crosswind Drive.

Nick Caruccio, President of the Shrewsbury Vol. Fire Company, stated the Fire Company is having a bull and shrimp feed on October 1 and applied to the Pennsylvania Liquor Control Board for a one-day special-occasion permit to sell beer and wine at the event. The application needs a resolution signed by the Borough recognizing the Fire Company as a non-profit group.

E. Stoley moved to have President Ridgely sign a Resolution that acknowledges the Fire Company as a non-profit entity.

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

This is not an approval to sell the alcohol, since the Borough is a dry community, just an acknowledgement of the special event.

Borough Board Vacancies

Vacancies exist on the Wellhead Protection Committee, the Planning Commission and the Municipal Authority. Resumes or letters of interest were received from Tamara Hatcher, 23 Northbrook Lane for either the Planning Commission or the Municipal Authority; Herb Baker of 21 West Church Street for the Municipal Authority; and Ted Nadobny of 3 Brook Meadow Circle for the Wellhead Protection Committee. They were asked to state some information about themselves.

Ted Nadobny has extensive background in the environmental field both in the water and wastewater industry and has volunteer experience with the Boy Scouts and Helping Hands. Ted has been a Borough resident since 2006.

C. Tamara Hatcher has experience in Baltimore City and Baltimore County as a police officer and at present in the sheriff's office and stated she would like to serve the community in which she lives.

Herb Baker was on Council for 13 years and has experience with both water and sewer and knows a lot of history of the town. He is a life-long resident.

Council will make the appointments at the July meeting.

APPROVAL OF MINUTES

The minutes of the May 11 meeting were approved by unanimous consent by those who were at that meeting.

APPROVAL OF EXPENDITURES AND REPORT OF ACCOUNTS

C. Skoglund moved to approve the expenditures and report of accounts for May.
E. Stoley seconded. The motion carried with all in favor.

BILL LIST

The bill list for May was presented: General account: check numbers 10607 thru 10656; Water account: check numbers 4573 thru 4592; Sewer account: check numbers 4325 thru 4340; Highway Aid: check numbers 839 thru 842.

- C. Skoglund moved to approve the May bill list.
- C. Munch seconded. The motion carried with all in favor.

PAYROLL REGISTER

- C. Skoglund moved to approve the May 2, 16, and 30 payroll registers.
- M. Sharkey seconded. The motion carried with all in favor.

SUBDIVISION AND LAND DEVELOPMENT BUSINESS

Heathcote Glen II Preliminary Subdivision Plan

The Township is proposing to give the Borough the liquid fuels monies for the portion of the road that's in the Township, about \$200.00 a year. There was no suggestion of future maintenance. The Borough would have no problem plowing and cindering for that amount of money each year but when it comes time to repave, the Borough would like to share that cost with the Township. President Ridgely volunteered to meet with the Township manager along with Brian Sweitzer, to discuss future maintenance of the roadway to include shared paving and road and improvement bonding.

The Borough Planning Commission recommended approval of the preliminary plan contingent on staff review comments dated May 10, 2011, numbers one through nine being complied with and review of the stormwater language by Sol. Rehmeier.

The open items from staff review are:

1. Certification, with signature, seal and date by the registered professional surveyor to the effect the survey is correct.
2. Certification that the Planning Module for Land Development and/or any required waivers have been approved by the PA DEP.
3. A letter from Shrewsbury Borough stating that sewage treatment capacity is available to serve this site (lots in the Borough). This was done.
4. A letter from the Shrewsbury Water Authority stating that water capacity is available to serve this site (Borough lots). Add note that water capacity is not guaranteed if not paid. This was done.
5. An erosion and sedimentation control plan and NPDES permit approved by the York County Conservation District.
6. Note: need to discuss maintenance by the Borough of the cul-de-sac that's in the Township. Agreement required.

7. Payment of all outstanding fees.
8. Add DEP planning code to sheet 1.
9. All stormwater facility ownership and maintenance notes should be reviewed and approved by the solicitor. (Comments were received and given to Phil at the meeting to be amended/added on the plan.)

The Home Owner's Agreement will need to be reviewed and approved by Council and Sol. Rehmeier prior to the formalization.

E. Stoley moved to give contingent approval of the preliminary plan subject to an agreement being reached between the Borough and the Township for the proposed roadway that will serve future homes in the Township that will address: the size of the cul-de-sac, the roadway being built to Borough specifications; bonding for both the roadway and the public improvements to include the Borough; the agreement needs to include maintenance by the Borough of plowing, cindering, and crack sealing with future paving being shared by the Borough and the Township; the agreement may need to be modified once the road is servicing the lots in the Township.

Further, conditional approval was given for the preliminary plan subject to the staff review comments dated May 10, 2011, being addressed and the comments from Sol. Rehmeier on the stormwater language being added to the plan for notes 16, 17, 18, and 19. The HOA document must be approved by the Borough prior to its adoption by the HOA/developer.

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

Sol. Rehmeier asked Phil Robinson if he accepted the contingent/conditional approvals and he answered in the affirmative.

Southern Regional Police Department

Chief Boddington was present regarding clarification of the open burning ordinance as to whether a burn barrel is allowed for recreational use or if a permit is needed. A resident burned in a barrel over the Memorial Day weekend and a neighbor called the police. After review of the ordinance, Council clarified that burning in a 55 gallon burn barrel would require a permit. Recreational use is not allowed. Discussion was also held as to the requirement of staying 50 feet from all property lines can be met anywhere in the Borough. The application form will be modified to make sure all requirements of the ordinance can be met before a permit is issued.

A letter will be sent to the resident that a burn barrel cannot be used without a permit with a copy to be sent to the landlord and the Southern Regional Police Department.

Chief Boddington stated two major cases were resolved this week. Loganville Borough signed the agreement for approximately five hours of service per week and that is going well.

R. Buchanan reviewed the police report for April. The Department is updating some policies. The Southern Regional Police Commission received the Borough's letter that it is rescinding its letter of withdrawal sent earlier this year.

Codes Enforcement – E. Michael Lee and Ethan Poe

Several notices were sent for violations. The Stewartstown Railroad is having another work day to repair the roof at the old train station. The owner of the apartment building at 35 East Forrest Avenue is again getting quotes for repair of the wall along North Highland Drive. Mike asked if equipment that is sitting outside at the former post office can be covered with a tarp when not in use. After review of the Zoning Ordinance, the answer was no and that if allowed, it could set a precedent. A privacy fence is not allowed as this property has double frontage. An enforcement notice will be sent if the equipment is not removed.

Water & Sewer – Richard R. Buchanan

Permit Renewals for Smith and Blouse Wells

The Test Plan proposal for both plans has been submitted to the Susquehanna River Basin Commission. The cost of the permit applications for the two wells will be \$7,040.00.

Southern School District Sewer Televising

The Public Works Department is contracted to televise the school district's sewer lines at the main campus and will last about three days.

Sewer Grant Application

The grant application for a sewer lining project in the Southern Farms development was submitted as follows: 2012: Grant \$130,000.00 and Borough funds \$100,000.00 and 2013: Grant \$115,000.00 and Borough funds \$150,000.00

Public Roads & Lighting – Eric W. Stoley

Shiloh Paving Street Resurfacing

The road work for Foxtail Court and Shetland Drive will begin the week of June 6 starting with milling and prep work. The contractor is responsible for notifying residents of a timeline.

Public Lands & Buildings and Finance – Christopher M. Skoglund

Final Audit Report

C. Skoglund moved to approve the final 2010 audit report.
E. Stoley seconded. The motion carried with all in favor.

Scout House

The Public Works Department has not received notification from the Scouts that the floor was sealed in the new building. The Department can then install the plumbing fixtures.

2000 Stake Body Chevrolet Truck

No bids were received after public advertisement.

C. Skoglund moved to sell the bed of the truck to Carey Waugh and to then offer the truck to the Fire Company for training purposes and if not, the truck can be taken for scrap.

R. Buchanan seconded and offered the amendment to include that no bids were received.

The amendment was accepted and the motion carried with all in favor.

Quarterly Review of Budget to Actual

Council will meet on Wednesday, July 27 at 7:00 p.m. for a mid-year budget review.

ENGINEER'S REPORT

Heathcote Glen II Planning Exemption

E. Stoley moved that President Ridgely be authorized to sign the sewer planning exemption.

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

21 South Hill Street

Eng. Holley reviewed the drawing for the proposed parking area at 21 South Hill Street and said the drawing does not meet the ordinances in that the spaces are too close to adjoining properties. About 12 spaces will be lost because of a required 25' buffer zone between the commercial use and the residential use and two handicap spaces are needed since they exceed 25 spaces. The plan lacks originality and does not tell us how many spaces are required; more zoning problems are foreseen with the proposed plan.

Sol. Rehmeier will respond to Attorney MacNeal that the plan is not satisfactory and Council can't support the parking as proposed. Another meeting with the residents will be scheduled after we hear back from Attorney MacNeal. A representative from the bank and the gymnastics studio should be at that meeting.

Retirement

Eng. Holley stated August will be his last meeting as he is fully retiring.

SOLICITOR'S REPORT

Shrewsbury Shopping Center

The amended buffer agreement has now been signed by Kimco.

R. Buchanan moved to authorize President Ridgely and the Secretary to sign the agreement on behalf of the Borough.

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

The work has been done for about a year.

Stewartstown Railroad Adverse Abandonment

The request was filed on behalf of the George Hart estate which is owed money by the Stewartstown Railroad Company. In order for the estate to take legal action against the rail line, it must request that the Surface Transportation Board release its jurisdiction. The Borough was contacted since the rail line passes through the Borough.

C. Skoglund moved to authorize Sol. Rehmeyer to respond that the Borough has no comments or interjections at this time to the abandonment of jurisdiction of the Surface Transportation Board.

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

EXECUTIVE SESSION

An executive session was called at 9:36 p.m. to discuss current litigation. The meeting was reconvened at 10:03 p.m.

Special Events Application and Form

M. Sharkey moved to accept the application form and rules for special events as presented.

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

Public Safety, Welfare and Personnel – Michael G. Sharkey

Secretary's Report – Cindy L. Bosley

York County Boroughs Association Meeting

Mayor Schnabel announced the next meeting is June 23; let the Secretary know if you can attend.

Delinquent Bills

Three delinquent accounts were turned over to Sol. Rehmeyer for collection: one is for refuse charges and the other two are in the Township and are for sewer charges.

Terry Dunlap, 72 Brook Meadow Circle

Mr. Dunlap has not paid all of the 10% penalty this quarter and a letter will be sent that he is still delinquent and the amount due will be carried over and billed next quarter or his service will be shut off. There was discussion about the residences that are using more than one EDU and that perhaps in the future they will need to pay for an additional water and sewer EDU.

York Area Tax Bureau – Michael G. Sharkey

At the April 25 meeting, merging operations of the York and Adams offices was discussed and it was recently learned that the Adams County office wishes to remain separate. The Bureau is changing the way disbursements are handled and the funds will be sent to the municipalities the month after they are received by the Bureau.

Subdivision, Land Development & Zoning – Eric W. Stoley

Planning Commission/Regional Planning Commission – Eric W. Stoley

UNFINISHED BUSINESS

Issue Control Sheet

The sheet was reviewed and updated.

NEW BUSINESS

Meeting of Committees

It was discussed that the Committees meet on the second meeting date which is advertised, if needed.

COMMUNICATIONS

ADJOURNMENT

C. Skoglund moved to adjourn the meeting at 10:30 p.m.
E. Stoley seconded. The motion carried with all in favor.

Submitted by,
Cindy L. Bosley, Sec.