

## MINUTES

### SHREWSBURY BOROUGH COUNCIL

REGULAR MEETING

MARCH 10, 2010

PRESENT: Mayor Peter W. Schnabel; Richard R. Buchanan, Thomas D. Metz, Carl W. Munch; Michael W. Ridgely, Michael G. Sharkey, 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; Nathan Kirschman; Bob Dickson; Keith Wills

The regular meeting of the Borough Council convened at 7:42 p.m. in the Borough Municipal Building, 35 West Railroad Avenue, with President Ridgely presiding.

Executive sessions were held on March 1, 2010, and just prior to this meeting to discuss filed litigation.

#### **CITIZEN'S COMMENTS**

Keith Wills, 15 Tree Hollow Drive, questioned the new weed ordinance and how it relates to the maintenance of the development's stormwater detention pond. The HOA has a document from 2003 that states how the pond needs to be managed. Upon clarification, the ordinance will not be enforced against the detention pond as long as best management practice is followed per the HOA's plan.

Keith commended the Public Works Department on the excellent snow removal work during the last two large storms.

#### **APPROVAL OF MINUTES**

E. Stoley moved to approve the minutes of the February 11 meeting.

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

Sol. Rehmeyer commented in his solicitor's report that minutes may be approved by unanimous consent rather than by motion since sometimes a Council person was not present and expresses the need to abstain from approval.

E. Stoley withdrew his motion and C. Munch agreed. The minutes were approved by unanimous consent.

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

T. Metz moved to approve the expenditures and report of accounts for January, 2010.

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

## **BILL LIST**

The bill list for February was presented. General account: check numbers 9935 thru 9979; Water account: check numbers 4307 thru 4320; Sewer account: check numbers 4153 thru 4162; Highway Aid: check numbers 785 and 786.

E. Stoley moved to approve the February bill list.

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

New Freedom Borough for Rose Ambulance health insurance(6 family and three single plans) for 2009, \$30,488.43 and Rose Ambulance for workers compensation insurance for 2009, \$5,474.70.

E. Stoley moved to approve the two bills for Rose Ambulance.

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

## **PAYROLL REGISTER**

M. Sharkey and R. Buchanan moved to approve the February 9 and 23 payroll registers.

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

## **SUBDIVISION AND LAND DEVELOPMENT BUSINESS**

E. Stoley reported a final subdivision plan was filed for property at 25 Plank Road to subdivide the house from the remaining land. It will be reviewed at the April 13 staff review.

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

R. Buchanan reviewed the January police report. It was decided that barking dog complaints be handled through Hemler, ACS as the police time is better spent on

other matters. In order for Hemler, ACS to use outside information, the complainant needs to record the barking dog both visually and with audio. Between the hours of 7:00 a.m. and 10:00 p.m., the recording needs to be for 15 minutes and for five minutes during the hours of 10 p.m. and 7:00 a.m.

### **Codes Enforcement** – E. Michael Lee

The sign company has withdrawn the application for the proposed CVS store and they will comply with the sign section in the zoning ordinance.

### **Water & Sewer** – Richard R. Buchanan

#### **Public Notification Autodialer**

A notification system needs to be in place by May 1 under the Department of Environmental Protection's new guidelines. The system can be used for failure of a chemical application system, water main breaks, boil notices, delinquent payments, water flushing, etc. Two quotes were received: Swiftreach \$3,625.00 unlimited call package per year; and One Call Now \$2,500.00 unlimited call package per year. Sol. Rehmeier reviewed the agreement for One Call Now and will present several suggestions to the company prior to Council signing the agreement. It was suggested that references be requested for the Swiftreach system.

R. Buchanan moved to authorize the purchase of an autodialing system at a cost not to exceed \$3,000.00, subject to Sol. Rehmeier's comments.

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

#### **Department of Environmental Protection Fee**

The Department will present a Chapter 109 Drinking Water Fee package to the Technical Advisory Committee at an upcoming meeting. The fee package will be based on water system population and the annual fee will be between \$300.00 and \$60,000.00. The fee is to generate \$8.4 million and cover 75% of DEP's budget.

#### **60 East Forrest Avenue Gun Shop/ Garage at 241 North Main Street**

An applicant is in the preliminary stages of housing a gun shop on East Forrest Avenue behind Power Printing. The shop would store guns, cleaning solution and ammunition containing gun powder. The property is located in Zone 2 of our

Wellhead Protection Plan. The ordinance does not allow bulk storage of regulated substances. A facilities profile sheet was received for a proposed garage at 241 North Main Street, Zone 2. The Wellhead Protection Committee will meet to review both submissions.

### 505 Elm Drive Sewer Backup

The lateral was televised and several leaks with smashed piping were found. Springfield Contractors was hired to replace the Borough's lateral along the road. This was an emergency repair.

### Aqua Pennsylvania Potential Purchase

Aqua Pennsylvania is requesting consideration if the Borough plans on selling the water system. The York Water Company has the right of first refusal due to the emergency connection agreement.

### Water Rate Increase

E. Stoley moved to approve option 2 as presented and to adopt Ordinance 2010-3 to increase the water rates effective with the first quarter billing.

R. Buchanan seconded. Roll call vote:

|          |   |
|----------|---|
| Buchanan | yes, in favor                                       |
| Metz     | yes, in favor                                       |
| Munch    | yes, in favor                                       |
| Stoley   | yes, in favor                                       |
| Sharkey  | no, opposed because of the pricing within the tiers |
| Ridgely  | yes, in favor                                       |

### Resolution 2010-3 For Reimbursement Plank Road Bridge Raising

E. Stoley moved to adopt Resolution 2010-3 for 50% reimbursement for the moving of the water line and hydrant at 27 Plank Road in connection with the PennDOT bridge raising project. The estimated cost of the work is \$4,200.00.

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

### **Public Roads & Lighting** – Eric W. Stoley

#### Winter Snow Removal Costs

A total of \$31,047.19 was spent to date on snow removal costs.

### Snow Removal

A letter was received from Dennis and Judy Wertz commending the Public Works Department for the recent snow removal work.

### Devonshire Drain

Several neighbors would like the stones removed from around the drain. Eng. Holley prepared a sketch of how the drain can be altered. The stones are not needed now since the development is finished.

E. Stoley moved that the residents be advised they can remove the stones per the drawing done by Eng. Holley at their cost and labor.

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

## **Public Lands & Buildings and Finance**

### Trash Pump

E. Stoley moved to authorize spending up to \$500.00 to replace the two inch pump with a three inch pump.

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

## **ENGINEER'S REPORT**

### Scout House Pole Building

Since the grant was in the Borough's name, the pole building will need to be put out for bid. Eng. Holley met with Scout leaders, Brian Sweitzer, and Mike Lee to gather information for the specifications for a 24' x 24' x 10' pole building with a concrete floor, one personnel door and an overhead door. Thirteen trees need to be removed, three of which have a power line overhead. Met Ed needs to disconnect and remove an overhead line to the house next door that is no longer used. Eng. Holley, Mike Lee, and Brian Sweitzer are donating their time to work on the bids and inspections. The Public Works Department is to do the pad preparation with stones, water line, sewer line to both buildings, dig the sidewalk from the old to new building, fill dirt and top soil after building is erected, and removal of three stumps. The grant was for \$15,000.00 and the Scouts have \$8,000.00. The tree

removal could run about \$6,000.00. Extra costs for stone, top soil, pipe, etc. need to be calculated.

It was decided to wait until next month to authorize the advertisement for bids until the extra costs can be calculated.

## **SOLICITOR'S REPORT**

### **Shrewsbury Square Shopping Center Buffer**

Sol. Rehmeier will prepare an amendment to the buffer easement agreement if the homeowner on Cardinal Drive agrees that five trees behind 12 Fawn Drive can be removed and not replaced.

### **Wellhead Protection Ordinance**

Sol. Rehmeier is coordinating with the Township's solicitor to include the recently adopted wellhead protection ordinance into the Township's zoning ordinance as part of the revision.

### **Public Safety, Welfare and Personnel** – Thomas D. Metz

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

The next meeting of the York County Borough's Association is March 25. The Secretary asked if notices should be mailed to neighbors when the wellhead protection committee meets to review a facilities profile sheet for a property and the answer was no. If there is a zoning hearing, they will get notified as part of that procedure.

### **York Area Tax Bureau** – Thomas D. Metz

The next meeting is on March 29.

### **Subdivision, Land Development and Zoning** – Eric W. Stoley

### **Planning Commission/Regional Planning Commission** – Eric W. Stoley

The Planning Commission had recommended the application for a larger sign for the new CVS store be denied.

### KIOSK

The regional planning commission asked if they should still proceed with creation of the KIOSK website as \$8,000.00 is in the account. Council felt it is a worthwhile project and agreed they should continue.

### UNFINISHED BUSINESS

#### Issue Control Sheet

The water rate increase and the Devonshire storm drain issue can be removed from the list. The YAMPO alternate representative will be added to the list.

### NEW BUSINESS

#### York Area Metropolitan Planning Organization Representatives

Pat Schaub expressed interest in continuing to serve as our area's representative. We will leave the nomination for alternate open at this time.

E. Stoley moved to nominate Pat Schaub to be our area's representative.

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

### COMMUNICATIONS

#### Stormwater Management Meeting

B. Sweitzer will attend the Act 167 stormwater management plan meeting on March 30.

### ADJOURNMENT

The meeting was adjourned at 9:40 p.m.

Submitted by,  
Cindy L. Bosley, Sec.