

MINUTES

SHREWSBURY BOROUGH COUNCIL

REGULAR MEETING

MARCH 14, 2012

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.; David Lipinski, P.E.; Brian L. Sweitzer, Supt. of Public Works; E. Michael Lee of Codes Enforcement; Eric Johnston; Atty. Stacey MacNeal; Christopher Aldous; Phil Robinson; Robert Ptaszek; Gloria McCleary; Rich Colton; Richard and Pamela Selwood; Ray Stiffler; Russ Palmer; approximately 15 residents from the Covington Ridge development;

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

Russ Palmer, 20 Devonshire Drive, stated the house at 7 Devonshire Drive has had occupants who were given permission to reside there temporarily by the property owners who vacated the property about six months ago. He stated the occupants are of the worst criminal element. He inquired if an ordinance could be created or changed so that this type of use could be avoided or taken care of in a quicker manner. He claims Baltimore County and York City have such an ordinance and he was asked to provide copies to the Borough. He listed some of the illegal activities that have taken place at the home and he stated the police were called. Mary Beth Patterson of Berkshire Drive, Paul Davis of 6 Glenhurst Drive, Kerri Bender of 16 Devonshire Drive and others spoke of their frustrations with the process of the occupants being made to leave. The property is now in the possession of the lending bank and paperwork was done incorrectly which delayed the process or the locks would have been changed on February 24. Chief Boddington is working with the bank and the management company to expedite the matter. The water was turned off on February 24, was turned on by an unknown person, and has since been turned off again by the Public Works Department. Sol. Rehmeyer said he has spoken with the Chief of Police on several occasions as well as the Borough Secretary. The situation has not been ignored and may soon come to an end. However, if it does not, the residents should file a

written complaint which needs to be done before a civil action can be started against the bank; however, the occupants have certain rights. The ordinance mentioned by Russ Palmer that York City has in place has been challenged and in some cases overturned. The residents were reminded they should call 911 when they see an occurrence at this property.

Robert Ptaszek – Adopt a Stream

Mr. Ptaszek stated he would like to adopt a mile-long portion of the Trout Run tributary that starts at the Trout Run pump house at Shetland Drive. His efforts would be to pick up trash and remove any debris from the creek, no re-engineering of the creek. He has already cleared debris from portions to the west at 988 and 1132 Kratz Road in Shrewsbury Township. He has adopted several creek portions to maintain.

Council felt this is a worthwhile project and suggested that perhaps Boy Scouts could be involved in the work. He will be invited to attend the May 23 wellhead protection meeting.

Ray Stiffler, 10 South Hill Street

Mr. Stiffler was in attendance to hear the discussion on the proposed gymnastics use at 21 South Hill Street.

APPROVAL OF MINUTES

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

APPROVAL OF EXPENDITURES AND REPORT OF ACCOUNTS

C. Skoglund moved to approve the February, 2012, report of accounts.
R. Buchanan seconded. The motion carried with all in favor.

BILL LIST

The bill list for February was presented: General account: check numbers 11016 thru 11060; Water account: check numbers 4709 thru 4724; Sewer account: check numbers 4439 thru 4452; Highway Aid account: check numbers 855 and 856.

- C. Skoglund moved to approve the February bill listing.
E. Stoley seconded. The motion carried with all in favor.

PAYROLL REGISTER

- C. Skoglund moved to approve the February 6 and 20 payroll registers.
M. Sharkey seconded. The motion carried with all in favor.

SUBDIVISION AND LAND DEVELOPMENT BUSINESS

21 South Hill Street Concept Plan for Gymnastics Use

Attorney Stacey MacNeal and Christopher Aldous, of Gymnastics of York, were present. The concept plan was reviewed at the February 14 staff review meeting and the February 27 Planning Commission meeting. Attorney MacNeal and Solicitor Rehmeyer will now work on a formal agreement for this use only and the concept plan will be part of that agreement.

Apple Tree Court (Millard McCleary Tract, Plank Road)

Eric Johnston, P.E. was present to say the owner does not want to extend Greenview Drive to join Plank Road across from Northbrook Lane. He also stated the Selwoods, of 13 Greenview Drive, no longer want the detention pond that is currently on their lot. One suggestion is to subdivide the pond from the Selwood's lot and add it to a lot in the Apple Tree Court development. Mr. Johnston said it would be a public dedication that the seven lot owners would take care of, not a home owners association. Mr. Johnston was told that Council would like a second access to the existing homes to the west and he stated he would re-draw the plan to show Greenview Drive extending to Foxtail Court.

Amended Heathcote Glen II Preliminary Plan – Township Change

Phil Robinson was present to ask for signatures on the revised Heathcote Glen II Preliminary Plan as there was a change in the Township portion, the farmhouse is being subdivided from the remaining land. This is a courtesy review/approval by the Borough.

- C. Skoglund moved that the amended preliminary plan be signed.
J. Traband seconded.

The motion was amended and seconded to state there was no change in the Borough portion.

Southern Regional Police Department – Richard R. Buchanan

Buck highlighted the report for January. A committee is reviewing the Police Commission's by-laws. The Commission goes by the name of Southern Police Commission and the name of the Police Department is the Southern Regional Police Department. After discussion, Council and Mayor Schnabel deemed it was not cost effective to change one to match the other with having to purchase new logos, stationery, etc. A letter was received from Brady Terrell of New Freedom Borough asking that the intergovernmental agreement be reviewed.

Codes Enforcement – E. Michael Lee

Henry, 133 South Main Street Judgment

A judgment was entered in the amount of \$2,636.00 and the Henrys are requesting to make payments monthly in the amount of \$200.00. A lien will be placed against the real estate as well.

M. Sharkey moved to accept the payment plan of the Henrys in the amount of \$200.00 per month starting in April.

C. Munch seconded. The motion was amended and seconded that in the event the property is sold, the balance will be paid in full.

7 Devonshire Drive

Since the water service was terminated on February 24 at the request of the property owner at the time, it was discussed that perhaps the occupancy permit will be withdrawn. Since the home may be vacated by the weekend, Mike Lee and Sol. Rehmeyer will discuss this on Monday. Supt. Sweitzer was asked to place a heavy metal plate over the curbbox ditch.

Water & Sewer – Richard R. Buchanan

SRBC Permit Blouse and Smith Wells

R. Buchanan and B. Sweitzer had a teleconference with the Susquehanna River Basin Commission on February 22nd about the permitting. The 72-hour pump test

is still the best solution to, hopefully, keep our current pumping rates. An extension was granted until April 12, 2012. One monitoring well agreement was returned signed and the other five property owners will be called and visited. Information is also expected from the US Fish and Wildlife Service.

New Freedom WWTP Budget

Eng. Holley, Eng. Lipinski and B. Sweitzer met to discuss New Freedom Borough's operating costs and capital improvement listing. The Borough pays 61.72% on capital projects and 46.37% on other expenses.

Water Rate Increase

The base rate will increase from \$19.90 to \$26.65 and the rest of the increase is spread over the tiers with those using in excess of 32,000 gallons a quarter paying \$6.82 per thousand gallons.

R. Buchanan moved to adopt Ordinance 2012-2 increasing the water rates.
E. Stoley seconded. Roll call vote:

| | |
|----------|---------------|
| Buchanan | yes, in favor |
| Munch | yes, in favor |
| Ridgely | yes, in favor |
| Skoglund | yes, in favor |
| Sharkey | no, opposed |
| Stoley | yes, in favor |
| Traband | yes, in favor |

There was discussion that the Council sets the water rates in the Borough and the Municipal Authority adopts the rates for sewer outside of the Borough.

Public Roads & Lighting – Eric W. Stoley

Street Sweeping

Ross Industries had the lowest cost at \$720.00 per day. Cleaning will take place from April 2nd thru April 13th.

Road Salt

Thirty-one tons need to be ordered to meet our salt purchase requirement for 2011-12.

Traffic Counts

Correspondence was received that PennDOT will be seen doing traffic counts on area roads.

Public Lands, Buildings and Finance – Christopher M. Skoglund

ENGINEER'S REPORT

Stormwater Ordinance

Eng. Lipinski sent the proposed stormwater ordinance to Sol. Rehmeyer today.

West Clearview Drive Drainage Swale

Supt. Sweitzer and Eng. Lipinski will look at the swale to see what needs to be done. Mr. Eyster is receptive to granting an easement.

SOLICITOR'S REPORT

Executive Session

An executive session was called at 9:52 p.m. to discuss a legal matter and a personnel matter.

The meeting was reconvened at 10:27 p.m.

Solicitation Ordinance

A draft ordinance was presented for review. A request for identification will be added and a permit form should be prepared to give the applicant to show proof that he/she has registered with the Borough office. The ordinance will be advertised and could be adopted at the April meeting.

Cable Services

Information was received from the Cohen Law Group that specializes in cable franchise renewal negotiations. The cost to the Borough would be \$8,900.00 and

would be off-set by a one-time grant from Comcast. There are other municipalities in the area whose franchise is up for renewal and the Borough could join this consortium. Free internet access will be asked for the Scout House during the negotiations.

M. Sharkey moved that the President be authorized to sign the letter that the Borough is joining the consortium for cable franchise renewal negotiations. C. Skoglund seconded. The motion carried with all in favor.

PennDOT EDU Agreement

Sol. Rehmyer will increase the frequency of requests to Assistant Counsel Sharp in order to get the discussion on potential projects moving forward.

Public Safety, Welfare and Personnel – Michael G. Sharkey

Leave of Absence

Doreen Smith is requesting to take an unpaid leave of absence for about two months and bookkeeper, Kim Dettinger, will fill in during that time.

M. Sharkey moved that Kim Dettinger fill in for Doreen Smith during Doreen's leave of absence at a rate of \$14.00 per hour with no benefits.

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

New Employee

Baron Matthews, Jr. will begin on April 2nd. Mr. Matthews has applied for his CDL permit on his own to get a head start. The Borough will reimburse Mr. Matthews for the application costs.

Secretary's Report – Cindy L. Bosley

York County Borough's Association Meeting

The next meeting is on March 22.

York Area Tax Bureau – Michael G. Sharkey

M. Sharkey reported the next meeting is in April.

Subdivision, Land Development & Zoning – Eric W. Stoley

11 Onion Boulevard Land Development Plan

A land development plan to add a metal office building at 11 Onion Boulevard was reviewed at the March 13 staff meeting. The plan will be back at staff review on April 10.

Planning Commission/Regional Planning Commission – Eric W. Stoley

Planning Commission Re-Appointment

C. Skoglund moved to ratify the re-appointment of Jessica Buck on the Planning Commission with the term ending July, 2013.

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

UNFINISHED BUSINESS

NEW BUSINESS

PSAB Annual Conference

E. Stoley moved that two delegates attend the annual PSAB conference again this year.

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

PSAB Webinar

M. Sharkey stated he would like to view the PSAB webinar on Electronic Communication Liabilities on March 20. It will be viewed at the municipal building and all of Council can attend.

COMMUNICATIONS

Meeting with Shrewsbury Township Chairman

When M. Ridgely and R. Buchanan met with the new Township manager, M. Ridgely offered to meet with the new Chairman to get acquainted and to open the door for future discussions. R. Buchanan stated he offered to give the Sewer 101 presentation again.

Stewartstown Railroad Company Correspondence

A copy of a letter sent to the Surface Transportation Board from Barley Snyder, attorneys at law, on behalf of the Stewartstown Railroad was received. The letter states that the Railroad agrees to negotiate an interim trail use/rail banking with the York County Rail Trail Authority for its entire rail line extending from MP 0.0 at New Freedom to MP 7.4 at Stewartstown.

The Secretary was asked to send a letter to the York County Rail Trail Authority asking what plans it has for parking and traffic crossing on South Main Street in the Borough.

Williams Pipeline Project

A letter was received asking for comments on the proposed corridor. The pipeline is expected to cross at the northern tip of the Borough at the Township line.

The Secretary was asked to send a letter that the land it will cross is zoned for future residential development.

ADJOURNMENT

C. Skoglund moved to adjourn the meeting at 11:03 p.m.
M. Sharkey seconded. The motion carried with all in favor.

Submitted by,
Cindy L. Bosley, Secretary