

MINUTES

SHREWSBURY BOROUGH COUNCIL

REGULAR MEETING

MARCH 13, 2013

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: Brian L. Sweitzer, Supt. of Public Works; Jeffrey L. Rehmeyer, II, Esq.; David Lipinski, P.E.; Keith Hunnings of South Penn Code Consultants; Larry Zimmerman; Nate Kirschman; James Carman; Phil Robinson; Dr. Jeanne Floyd

The regular meeting of the Borough Council convened at 7:32 p.m. in the Borough Municipal Building, 35 West Railroad Avenue, with President Ridgely presiding.

**CITIZEN COMMENTS**

**APPROVAL OF MINUTES**

The minutes of the February 13, 2013, 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 expenditures and report of accounts.  
C. Munch seconded. The motion carried with all in favor.

**BILL LIST**

The bill list for February was presented: General account: check numbers 11540 thru 11580; Water account: check numbers 4906 thru 4920; Sewer account: check numbers 4591 thru 4606; Highway Aid: check numbers 863 thru 866.

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

**PAYROLL REGISTER**

C. Skoglund moved to approve the February 4 and 18 payroll registers.  
M. Sharkey seconded. The motion carried with all in favor.

## **SUBDIVISION AND LAND DEVELOPMENT BUSINESS**

### 95 East Forrest Avenue

The grading plan for this parcel was approved at the October 10, 2012, meeting with required testing of the imported fill, which at that time, was going to be coming from an adjacent site at Messina Highlands, just to the south. The fill is now coming from about a mile long stretch of median strip of I-83 in Maryland to obtain the roughly 5,000 cubic yards of fill. Council had concerns about this dirt as it is not native soil, there could be residues of lead that used to be in gasoline, oil and gas spills related to vehicle accidents, and runoff from asphalt. Eric Johnston's letter dated March 13, 2013, states the dirt will be tested before being imported to the site. Council felt the testing should be more aggressive than it was for the Plank Road (McCleary) site based on where the fill is coming from and this site backs up to a tributary leading to Deer Creek, zone 2 of the wellhead protection area. Council will leave the decision to Eng. Lipinski as to what to test for and how many linear feet to test. The results will be given to him before the soil is brought on site.

In addition, the potable well has not been located. A letter that was sent to Johnston and Associates from Brian Sweitzer in 2005 states the potable well was in the basement of the house that was to be torn down and that the casing should be raised to mark the location of the well, which was not done.

E. Stoley moved to authorize Eng. Lipinski to proceed with sending a letter outlining the degree and frequency of testing and that absent any unsatisfactory testing results, the dirt may be brought on site.

M. Sharkey and R. Buchanan seconded.

The motion was amended and seconded that no dirt will be brought on site until the old, potable well is located and sealed.

### 95 East Forrest Avenue Traffic Study

Eng. Lipinski reviewed the traffic study for the proposed Auto Zone store which was done at peak traffic flow times. The study calls for 456 trips a day which will be unchanged even though it is believed to be too high. PennDOT has agreed to an in and an out lane. Council will review the traffic study by the next meeting.

### Heathcote Glen II Plan

Phil Robinson was present as the final Phase II subdivision plan was rescinded due to the fees not being paid and no bonding in place. Phil stated the project had to be restructured as one of his partners has become ill and was forced to retire. He stated the road will be started within the next two weeks and the water and sewer mains will be installed under the preliminary plan approval. He will pay the fees within the next few weeks as well. The final phase II plan will be coming back as it was not recorded within the proper time. The Borough will inspect the water and sewer lines and the roadway will be inspected by both the Borough and the Township.

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

#### Police Civil Service

E. Stoley moved to appoint James Carman as the civil service representative.  
C. Munch seconded. The motion carried with all in favor.

Buck reported the meetings with Stewartstown/Winterstown/Crossroads have been going well and that they are pleased with the combined merged budget.

### Codes Enforcement – Keith Hunnings

Three permits were issued in February.

#### 39 East Forrest Avenue

Kelly Silk, manager of The Factory building at 39 East Forrest Avenue, was present as she had thought one of the tenants, Bubba D's Pizza and Wings, was going to be at the meeting to complain that he was made to remove his three banners from the property and felt he was being singled out. Council noted the former restaurant owner in the same location did not resort to this type of advertising. Council also discussed the costumed pizza character that sometimes stands out front and was seen eliciting motorists to blow their horn at him which has created a nuisance. Ms. Silk said she heard the confrontation between the pizza character and the neighbors.

95 East Forrest Avenue

Keith was asked to check the size of the clean fill dirt wanted sign at 95 East Forrest Avenue to see if it met the requirements of the zoning ordinance.

14 Onion Blvd.

There have been violations with earth moving at 14 Onion Blvd. as the owner was installing a large concrete pad without a soil erosion plan and the construction vehicles were dragging mud out onto Onion Blvd. and South Main Street. Keith put a stop to the work until proper permits are received and a site development plan is approved. The owner may have to install another pond as there was sediment in the drainage swale to the west.

32 – 34 South Main Street

The roof on the barn/shed in the rear was re-tacked and tarps placed over it. The property is for sale and Keith has told several interested parties the barn/shed should be torn down.

14 Constitution Avenue

A zoning application was filed to have a child recreational establishment in the commercial zone.

116 South Main Street Items for Sale

This property has items out for sale on a daily basis. Keith was asked to look into this.

Rutter's 249 North Main Street

The business is open after the remodel. Keith was asked to look at the fence as it appears some sections are sagging.

**Water & Sewer** – Richard R. BuchananWater Rate Ordinance

R. Buchanan moved to adopt Ordinance 2013-1 to increase the water rates for future capital improvements.

E. Stoley seconded. Roll call vote:

Buchanan	yes, in favor
Munch	yes, in favor
Ridgely	yes, in favor
Sharkey	yes, in favor
Skoglund	yes, in favor
Stoley	yes, in favor
Traband	yes, in favor

### Sewer Rate Resolution

R. Buchanan resolved to adopt Resolution 2013-2 that decreases sewer rates.

C. Skoglund seconded. Roll call vote:

Buchanan	yes, in favor
Munch	yes, in favor
Ridgely	yes, in favor
Sharkey	yes, in favor
Skoglund	yes, in favor
Stoley	yes, in favor
Traband	yes, in favor

### Sewer Flat Rate Letter

Since the flat rate amount increased to the amount billed for 60,000 gallons, R. Buchanan presented a draft letter to be sent to the approximately 20 property owners who do not have a Borough meter. The flat rate increased from \$197.50 to \$335.00. Those property owners will be billed at the old flat rate for the first quarter, giving them time to purchase and have a meter installed for the second quarter billing. Since all of these customers are in the Municipal Authority's service area, the letter should come from the Authority. They will be sent by certified and regular mail.

### Brookview Meadows Sewer Overflow

Manhole 715 overflowed due to faulty piping and excessive kitchen grease on January 18th. The sewer line is approximately 20 feet deep in certain areas and Kinsley Construction was contracted to replace 385 feet of buckled sewer line. Kinsley was given the go ahead to do the repairs because of the emergency situation of keeping the manhole flushed and to prevent sewage from entering the detention pond again. The emergency repair will cost between \$35,000.00 – 40,000.00 because of problems experienced once the work started. The work began on February 28th and Kinsley Construction experienced problems due to excessive groundwater erosion of manhole

stone bases that caused a large cavity. An invoice from Kline's Services, who initially helped to vacator and flush the sewer line, was for \$3,727.50.

### Woodland Tank

Mid Atlantic Storage Systems completed the tank repairs on February 27<sup>th</sup> which included replacing the leaking manway, re-fillet horizontal and vertical interior tank seams, eight new sacrificial anode bars, and permanent repairs of problem bolts and small leak from 2011. The cost was \$13,058.00. There is significant rust and deterioration on the exterior bolts; Mid Atlantic Storage Systems could perform the exterior repairs while the tank is in operation at a cost of almost \$22,000.00.

R. Buchanan moved to proceed with the second phase of repair to the Woodland Tank at a cost of approximately \$22,000.00 with the work to be done in the spring.

E. Stoley seconded. Since the work is not an emergency repair, Sol. Rehmeyer said the project will need to be put out for bids.

The motion was rescinded and Eng. Lipinski and Supt. Sweitzer will work on the specifications with the work to be done in the fall as a capital improvement project.

### Covington Drive Sewer Lining

The Public Works Department installed all the necessary cleanouts for Phase I. There are nine laterals that are clogged with tree roots in other areas of the development that will be lined in the near future along with the one lateral from Phase I. SWERP will perform the additional nine laterals under the same project lineal foot costs with no new mobilization costs. Eng. Lipinski submitted a recommendation of payment in the total amount of \$183,962.89 with the County paying \$100,000.00 from block grant funds and \$83,962.89 from the sewer funds.

R. Buchanan moved to pay SWERP, Inc. the amount of \$83,962.89 from sewer capital.

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

E. Stoley moved to authorize President Ridgely to sign the recommendation of payment to York County to pay SWERP, Inc. the \$100,000.00 from the block grant funds.

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

### 15 Kratz Road Right-of-Way Agreement

The property owner contacted Supt. Sweitzer regarding the letter that was sent that there is a prior right-of-way in the area needed in order to run the above-ground pipe across her property for the Blouse well pump test. The property owner made Supt. Sweitzer aware

of her concerns and she was told her needs would be addressed. She will not sign a new agreement for access but understood about the prior right-of-way.

### 2012 Cost Sharing Report

Supt. Sweitzer discussed the 2012 cost sharing report with Eng. Holley who was going to ask New Freedom Borough about the health insurance budgeted cost, which was accurate. The flow percentages for the past five years:

	<u>New Freedom Borough</u>	<u>Shrewsbury Borough</u>	<u>Railroad Borough</u>
2012	51.07%	47.85%	1.08%
2011	52.66%	46.37%	0.97%
2010	54.66%	44.35%	0.98%
2009	49.91%	50.45%	1.06%
2008	43.17%	55.82%	1.01%

### Sewer Line Mapping

James R. Holley & Associates completed the manhole surveying for the mapping system with accurate coordinates in the Borough. The Municipal Authority gave its approval to continue mapping coordinates into Hopewell Township, Shrewsbury Township, and Railroad Borough at a cost not to exceed \$10,000.00.

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

#### Paving Projects

The following streets will be paved this year: Bridle Road and West Linden Avenue at a rough cost of \$100,000.00. Eng. Lipinski and Supt. Sweitzer were asked to get the specifications ready to advertise for bids.

#### Crack Sealing

Supt. Sweitzer is working with Shrewsbury Township to jointly buy crack sealing material.

#### Street Sweeping

The street sweeping will be from April 1<sup>st</sup> through April 14<sup>th</sup> by Ross Industries at the same rate as last year (\$90.00/hour).

### Market Square Traffic Signal

A complaint was received asking that the left turn arrow traveling eastbound on Constitution Avenue to turn left onto Main Street be disabled during non-peak traffic times as traffic sitting on Old Farm Lane must wait on the arrow phase.

Council felt the left-turn arrow was put in place based on a traffic study in order to keep traffic from the west to turn left onto Main Street moving so it wouldn't back up and any change to disengage the left-turn arrow from functioning would defeat that purpose.

### Traffic Concerns on Buchanan Avenue (Township)

A copy of a letter that Shrewsbury Township sent to a complainant about speeding on Buchanan Avenue included some suggestions the Borough could do on the Borough's section of this roadway that leads down to the elementary school. One suggestion was to install a speed limit sign and a sign that indicates a school is ahead. Council felt the speed limit signs in place now are sufficient and that it is open knowledge there is a school ahead. Perhaps instead of the Township asking that the Southern Police Department's speed trailer be placed near the Borough line, the school could ask for it since the Department provides coverage to the school district.

### Water Runoff Woodland Drive

Some residents on the north side of the first block of Woodland Drive said when it rains hard, water comes down from the field to their north and comes into their yards and one shed was flooded. They seem to think it was from the work the York Water Company did a few years ago but it could be running faster across the no-till land since the ground is packed down. The Secretary was asked to see if a conservation plan is in place for this field.

## **Public Lands, Buildings, and Finance** – Christopher M. Skoglund

### Borough Building Fire Alarm System

BFPE International supplied a quote for a fire alarm system at a price of \$12,992.19. Council felt this quote was high as there should be no prevailing wage and tax was included in the price. B. Sweitzer was asked to get two more quotes. C. Skoglund, R. Buchanan, and Tony Myers will be asked to review the quotes.

### Borough Building Roof Leak

The price to repair the flat roof at the northern corner of the Borough building is \$9,980.00. This will be budgeted for 2014.

### **ENGINEER'S REPORT**

#### **Russett Farms Sewer Access**

This was discussed at the Municipal Authority meeting and is being handled by the Authority.

#### **Stormwater Ordinance**

Eng. Lipinski and Sol. Rehmeyer are to meet later this month to review the changes.

#### **Windy Hill Road Reimbursement**

The Borough has not been reimbursed by PennDOT as of yet.

### **SOLICITOR'S REPORT**

#### **Surety for Improvements**

Letters were sent to the developers of Covington Ridge III and Eitzert Farms to provide updates regarding the status of public improvements.

#### **50 West Clearview Drive Swale Issue**

Eng. Lipinski is trying to determine what right-of-way width is correct in that area.

**Public Safety, Welfare, and Personnel** – Michael G. Sharkey

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

#### **York County Boroughs Association Meeting**

The next meeting is Thursday, March 21.

#### **Blowing Recyclables**

Dr. William Solomon, who owns a farm on the south side of West Forrest Avenue, submitted a complaint that for years, he has had to pick up recyclables that have blown from residents' bins along West Forrest Avenue. Penn Waste said a solution could be to ask the residents to bag the recyclables either in a clear bag if they don't use the bin or to place a bag inside the bin and then when it's sat out for collection, to tie the bag at the top and leave it in the bin. An article will be placed in the next newsletter.

**York Adams Tax Bureau** – Michael G. Sharkey

The next meeting is in April.

**Subdivision, Land Development & Zoning** – Eric W. Stoley

Shrewsbury Square Shopping Center

Kimco has filed for a special exception and a variance to allow a banking institution at the shopping center. It would not have its own access or road frontage and would use the shopping center's driveways. E. Stoley felt the request did not meet the requirements for either request. Eng. Lipinski said he will relay those thoughts at the Planning Commission meeting.

21 South Hill Street

The Planning Commission recommended approval of the special exception and variance requests for an eight unit apartment complex. The hearing is tomorrow evening.

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

**UNFINISHED BUSINESS**

Trash Contract

For the new contract, it was discussed seeing if there could be a service whereby large electronics could be picked up at a residence and to see if a community shredding event of personal papers could be part of a service.

Comcast Cable Renewal

M. Sharkey stated he is still negotiating with Comcast to provide at least half of the pump houses with internet service at no cost for internet monitoring along with service at the Scout house.

## **NEW BUSINESS**

### **Post Prom Party Donation**

C. Skoglund moved to donate the same amount as last year, \$50.00, to the 2013 prom committee.

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

## **COMMUNICATIONS**

### **Newsletter**

Dr. Jeanne Floyd of 21 North Main Street stated she appreciates the quarterly newsletters.

### **Scout Service Project**

M. Sharkey said scouts from Troop and Pack 205 would like to refinish the benches at the square and plant flowers in the planters as a service project. Larry Zimmerman will act as liaison.

### **Urgent Care Informational Meeting**

Mayor Schnabel attended a meeting sponsored by the Township with Wellspan to see if an urgent care facility is feasible for this area. Wellspan said the problem is staffing and it will take a look at this area again in about three years to see if it could support itself.

## **ADJOURNMENT**

E. Stoley moved to adjourn the meeting at 9:55 p.m.

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

Submitted by,  
Cindy L. Bosley, Secretary