

## MINUTES

### SHREWSBURY BOROUGH COUNCIL

REGULAR MEETING

MAY 12, 2010

PRESENT: Mayor Peter W. Schnabel, Richard R. Buchanan, Thomas D. Metz, Carl W. Munch, Michael W. Ridgely, Michael G. Sharkey, and Christopher M. Skoglund

#### OTHERS

PRESENT: Jeffrey L. Rehmeyer, II, Esq.; James R. Holley, P.E.; Brian L. Sweitzer, Supt. of Public Works; Jon Myers of Shaw Surveying; Rich Colton; Nate Kirschman, EMA

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

#### APPROVAL OF MINUTES

The minutes of the April 14 meeting were approved by unanimous consent.

#### APPROVAL OF EXPENDITURES AND REPORT OF ACCOUNTS

T. Metz moved to approve the expenditures and report of accounts for February and March.

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

It was noted the Borough will be reimbursed approximately 75% of overtime pay, fringe benefits, materials, equipment hours and hired contractor costs for a 48 hour time period during the two blizzards in February.

#### BILL LIST

The bill list for April was presented: General account: check numbers 10034 thru 10073; Water account: check numbers 4336 thru 4350; Sewer account: check numbers 4177 thru 4186; Highway Aid: check 820.

C. Skoglund moved to approve the April bill list.

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

### **PAYROLL REGISTER**

C. Skoglund moved to approve the April 5 and 19 payroll registers.

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

### **SUBDIVISION AND LAND DEVELOPMENT BUSINESS**

McCleary Final Subdivision Plan #2010-1 to subdivide the house from the remaining acreage, 25-A Plank Road

The Planning Commission recommended approval of the plan contingent on the pins being set (Rich Colton verified the pins are set), submission of the planning module, payment of all fees, and the Uniform Parcel Identification numbers being added to the plan.

C. Skoglund moved that the Secretary be authorized to sign the Planning Waiver for a Non-Building lot.

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

C. Skoglund moved to approve the plan based on the Planning Commission's comments.

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

Eng. Holley will record the plan within 90 days.

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

The police commission received a letter of complaint from Glen Rock Borough Council regarding an incident involving Chief Childs that the personnel committee is investigating. The newest officer injured himself during bike patrol training. The police department participated in a County-wide DUI check in the first block of East Forrest Avenue and 16 citations were issued for various reasons.

### **Codes Enforcement**

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

### Letter to DEP

Buck sent a letter to DEP regarding the Deer Creek evaluation from changing the classification to a cold water stream and how that would impact our current and future rate of withdrawals from our wells and if the change would not allow a sewage treatment plant to be built in Tolna. Shrewsbury Township took offense to the letter and a response was sent to each Council member. We have yet to hear from DEP.

### Sewer Bill for 1270 E. Tolna Road

The pipes were re-installed and a final use and occupancy permit was given the last week of March so sewer billing will resume as of April 1. A meter needs to be installed so the resident can receive a metered bill rather than a flat rate bill. The Secretary called and left a message for the property owner today.

### Windy Hill Bridge Replacement

Since PennDOT is replacing the bridge near the Deer Creek Pump Station, the Borough needs to relocate a portion of the sewer line and a manhole so they don't interfere with the project. Kinsley's price is \$54,000.00 compared to Eng. Holley's estimate of \$36,000.00 and Kinsley will not meet to discuss adjusting the price. PennDOT did not include this work in the bid but treated it as a change order. If the Borough put the work out for bid, it would be higher because the stream would have to be by-passed two times. M. Sharkey felt the work should be stopped so we could be included or bid the work out.

A letter will be sent to PennDOT with copies to Rep. Miller and Sen. Waugh asking why it wasn't included in the bid price and was allowed to be treated as a change order.

R. Buchanan moved to reluctantly accept the price of \$54,000.00, 25% of which will be reimbursed by PennDOT.

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

### Sewer Flows

The heavy rains have benefited our cost share at the treatment plant. We are at 36% of the plant flows and New Freedom Borough is at 62% in March. The 2009 sewer flow average was 631,000 gallons per day and April was 609,000 gallons per day. There are several leaks that will be fixed in the next couple of months.

### Autodialer

The agreement was signed with One Call Now to provide autodialing service to satisfy the State's public notification requirements.

### Public Roads & Lighting

#### Public Lands & Buildings and Finance – Christopher M. Skoglund

##### Scout House Pole Building

C. Skoglund prepared a project plan that included a list of pending Public Works Department projects. B. Sweitzer said his Department is not available to work on the scout house requirements until after July 4. M. Sharkey volunteered to be the project manager. C. Skoglund would like comments back by the next meeting to hopefully approve the plan and move forward. The Scouts should be at the next meeting.

Nate Kirschman said the radio club has a 60 foot aluminum antenna they would like to install at the new pole building. Radios would be installed and would be used by both the scouts and the radio club. Nate said the club needs to purchase the base and he needs a hole large enough to hold four cubic yards of concrete. Eng. Holley feels more trees will need to be removed and he will e-mail Nate a drawing of the site.

### ENGINEER'S REPORT

#### Unopened Alley off of South Highland Drive

There is an unopened alley behind the homes starting with the vacant lot at the intersection of East Forrest Avenue and South Highland Drive and it was unclear who owns the land. Eng. Holley stated he has surveyed properties along East Forrest Avenue and the rear boundaries go up to the unopened alley, not to the center. It is unclear who owns the alleyway but it was the owner of the old subdivision plan for the land that's now the cemetery. The property owners that join this alleyway would have to get together and obtain quit-claim deeds to claim ownership of portions of the alleyway. It is a private matter.

## Sewer Litigation

Eng. Holley stated his deposition will continue the first week of June.

## **SOLICITOR'S REPORT**

### Wellhead Protection in Shrewsbury Township

The Township is looking to shift all responsibility arising out of the wellhead issues to the Borough probably through an intergovernmental agreement. Sol. Rehmeyer is checking which board can hear the issues. The Township is also asking for representation of two members on the wellhead protection committee.

### Annual Renewal of Use Certificates

The draft ordinance prepared by Sol. Rehmeyer calls for annual inspections. The York County Planning Commissioners feel the zoning officer could inspect a property at any time. Sol. Rehmeyer's research indicates the zoning officer should have some cause to undertake an inspection. The cost involved will be passed on through the application fee. Council was asked to review the ordinance and decide how often the inspections should occur.

### Shrewsbury Center Buffer

The amendment to the buffer easement agreement has been created and a drawing has been obtained from Kimco Realty as to what trees will and will not be replaced at 12 Fawn Drive. The agreement will be recorded and will carry through to future property owners.

### 21 South Hill Street

An individual is interested in purchasing the property to be used to sell generators and asked if an employee could live in the apartment. The applicant will file an application with the Zoning Hearing Board.

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

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

### Bank Signature Cards

New signature cards were signed prior to the meeting to add the new Council members as signers.

### Cats Running at Large Complaint

A complaint was received from 44 Lisburn Avenue that the owner of 37 Lisburn Avenue is feeding cats and they are running at large, and damaging her property. Hemler, ACS has trapped cats and wildlife out at a cost of \$852.00 since 2009. When the property owner at 37 Lisburn Avenue sees Hemler's vehicle, he keeps the cats in so they don't get trapped. Also, Hemler stops trapping when he traps wildlife as the complainant does not want to pay.

Sol. Rehmeyer was asked to send a letter to the owner of 37 Lisburn Avenue that he needs to either get rid of the cats or keep them confined.

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

Lois Kashner, Director of the Bureau, will be retiring as of December 31.

### Subdivision, Land Development and Zoning

### Planning Commission/Regional Planning Commission

### UNFINISHED BUSINESS

### NEW BUSINESS

#### Issue Control Sheet

The sheet was reviewed and updated.

### COMMUNICATIONS

### EXECUTIVE SESSION

An executive session was called at 9:07 p.m. to discuss a police personnel issue. The meeting was reconvened at 9:25 p.m.

**ADJOURNMENT**

C. Skoglund moved to adjourn the meeting at 9:25 p.m.

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

Submitted by,  
Cindy L. Bosley, Sec.