

## MINUTES

## SHREWSBURY BOROUGH COUNCIL

REGULAR MEETING

NOVEMBER 9, 2005

PRESENT: Mayor James W. Reedy, Richard R. Buchanan, Michael R. Caum, Michael W. Ridgely, Peter W. Schnabel, Christopher M. Skoglund 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; Barb Krebs of The York Daily Record; Phil Robinson; Gary LaBarre; Tyler Harpster; Fred Noble; Ron Baker; Fred Villalobos; Phil Robinson (late)

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

A certificate of appreciation was presented to Fred Noble for his service on Council.

**CITIZEN'S COMMENTS**

Fred Noble inquired if funds from the developer's recreation fee fund may be used to purchase capital improvements at the senior center.

Fred Villalobos of 18 South Main Street was present regarding an old proposed alley between his property and 16 South Main Street.

The Secretary found where this was discussed in 1984 and the property owner at 16 South Main Street at that time was told to seek the guidance of an attorney and that the Borough would provide a letter that it does not have any claim to the alley. Mr. Villalobos was told that both his and the neighbor's deeds would need to be researched.

**Radio Club President**

Gary LaBarre introduced Tyler Harpster, who will be the new SPCG president.

Mike Cadden stated the fire company's call volume is 68 calls over last year at this time with a total of 750 calls to date. Decreased fund raising efforts are slowly taking place as volunteers spend more time in training and less time with their families.

Rick Goldberg of Ryan Homes was present regarding the non-issuance of sewer permits for homes they are building in Shrewsbury Township. Their EDUs were transferred to them by the property owner who had purchased them several years ago. Ryan has paid approximately \$4,500.00 per EDU. Since the EDUs were transferred and purchased privately, and not purchased through the Township at a fee not in compliance with Act 57, the consensus of Council was to grant the issuance of a total of 17 permits to Ryan Homes. Discussion was continued under Water and Sewer Report.

Ron Baker of Crosswind Drive stated he has some information to hand in to the office on the speed awareness program. He also needs another sign.

### **APPROVAL OF MINUTES**

E. Stoley moved to approve the minutes of the October 12 meeting.  
R. Buchanan seconded. The motion carried with all in favor.

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

M. Ridgely moved to approve the September expenditures and report of accounts.  
E. Stoley seconded. The motion carried with all in favor.

### **BILLS**

The bill list was presented for October: General account: check numbers 7032 thru 7100 totaling \$290,674.30; water account: check numbers 3370 thru 3403 totaling \$34,455.78; sewer account: check numbers 2863 thru 2897 totaling \$29,460.17; highway aid account: check 648 for \$637.60. Total disbursements \$355,227.85.

M. Ridgely moved to approve the bill list for October.  
C. Skoglund seconded. The motion carried with all in favor.

## **SUBDIVISION AND LAND DEVELOPMENT BUSINESS**

### **Valley View Grove Letter of Credit**

Eng. Holley concurs the letter of credit may be reduced by an amount of \$86,353.85 leaving a balance of \$81,356.00.

E. Stoley moved to approve the reduction of the letter of credit by an amount of \$86,353.85 leaving a balance of \$81,356.00.

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

### **Sign Heathcote Glen Final Plan**

The plan that was approved on August 10 was signed.

## **REPORTS**

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

Several enforcement notices were sent and most of the properties are now in compliance. Mike is sending the owner of the detention pond on Kratz Road a notice to clear the debris from the pond. Mike said he met with Robert Shaub to go over the Weaver Precast plan and Bob is satisfied with the plan. Once the plan is signed and recorded Mike will ask for a copy for Bob.

### **Executive Session**

An executive session was called at 8:00 p.m. to discuss pending litigation. The meeting was resumed at 8:21 p.m.

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

#### **Sewer EDUs**

Discussion on Ryan Homes sewer permits continued. The Borough's position is that we will not issue permits for EDUs that were paid for not in compliance with

Act 57. The Borough needs to protect itself from liability from anyone purchasing EDUs that are in excess of what is allowed under State law.

R. Buchanan moved to grant the sewer permits to Ryan Homes for a total of 17 permits that were purchased in a private sale/transfer at a cost of \$4,500.00 each from the original EDU holder.

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

### Greasetraps

The Shrewsbury Commons management group has contacted B. Sweitzer about televising the lines in the shopping center to determine the main offenders.

### Presidential Heights Sewer Customers

There are approximately 130 customers who do not have a Borough meter and we were able to read them using a reader provided by the York Water Company. The York Water Company is changing their meters to the radio read method and our radio read gun will not read their meters and the York Water Company will not provide us with a meter reader as they cost between \$10,000.00 and 15,000.00.

A letter will be sent to the property owner, developer and The York Water Company that when a home is sold that does not have a Borough meter, that a meter will need to be installed or the home goes on a flat rate. When a home is sold, it will automatically go on a flat rate until the owner installs a Borough meter.

### Rutter's/Mason Dixon Restaurant Sewer Lateral

A blockage was recently removed from the lateral at 615 South Main St. because of extreme grease buildup. The restaurant did not have their greasetrap paperwork for the years 2004 and 2005. A video showed 1" thickness of buildup. The fee schedule for fines will be first offense: \$500.00; second offense: \$750.00; and third and subsequent offenses \$1,000.00 each. In all instances, the costs of clean-up, time and inspections will be billed out to the owner. The frequency of inspections will also be increased.

R. Buchanan moved to authorize Sol. Rehmeyer to prepare a written policy as to the fine schedule, \$500.00, \$750.00 and \$1,000.00 plus payment of clean up costs, inspection time, with clean-up done under the supervision of the Public Works

Department with inspections being done at least once a quarter. All fine monies and costs are to be returned to the Borough.

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

C. Skoglund added that a letter be sent to each grease trap customer with a copy to the owner of the property.

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

## **Public Roads & Lighting** – Christopher M. Skoglund

### Street Cut Permits

The final version of the ordinance will be prepared for the next meeting.

### Work Zone Regulations

There are new Statewide regulations for traffic control which means we will need to upgrade some of our equipment at an approximate cost of \$1,300.00.

C. Skoglund moved that updated equipment be purchased at a cost not to exceed \$1,300.00.

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

### East Church Avenue

The Borough is insisting that our section of East Church Avenue will be patched/paved good enough for plowing this winter. (Discussed later when Phil Robinson arrived.)

## **Public Lands & Buildings and Finance** – Michael W. Ridgely

### Tentative and Final 2006 Budget Adoption

The tentative budget will be adopted on December 14 and the final budget will be adopted on December 28.

### Reorganizational Meeting

The first meeting in January will be on Tuesday, January 3.

### Public Works Garage Driveway

Cost estimates to pave the new driveway range from \$15,000.00 to \$27,450.00.

E. Stoley moved to go with the quote of Shrewsbury Township up to \$20,000.00 to pave the driveway at the new garage.

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

### Playground Parking Lot

The parking lot is scheduled to be paved next year and should have 50 parking spaces and 30 spaces at the Scout house, payable from PLGIT recreation fee funds.

### Recreation Funds

Council felt the use of developer-paid recreation fees is a mismatched use of those funds to purchase equipment for the senior center. Expenses should be kept on Borough property.

## **ENGINEER'S REPORT**

### Gatewood Drive Storm Sewer Work

A recommendation of payment to McElroy Contractors in the amount of \$27,217.00 was presented for payment.

C. Skoglund moved to pay the amount of \$27,217.00 to McElroy Contractors.

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

### Pumphouse Wells

The final inspection by DEP will be Thursday, November 17 at 9:30 a.m.

### Forest Lakes EDU Cost Analysis

The Township responded with a cost analysis of the fee they charged for the Forest Lakes development when 29 connections were made in 1996. Eng. Holley feels that continuing to collect tapping fees beyond the imposition of the sewer project costs from 1996 appears to be a problem. Collection of sewer tapping fees in other parts of the Township based upon the costs associated with the Forest Lakes development appears to be inappropriate. Updating the capacity component without subtracting debt also appears to be a problem.

### Kinsley Sewer Work 2004

Eng. Holley recommends payment to Kinsley Construction for Southern Farms 2004 sewer work in the amount of \$6,733.33.

R. Buchanan moved to pay the amount of \$6,733.33 to Kinsley Construction.  
M. Ridgely seconded. The motion carried with all in favor.

### 2006 Street Work

C. Skoglund asked Eng. Holley to begin work on the bid process for the 2006 road work to resurface Whitcraft Lane and Kratz Road.

### East Church Avenue

Phil Robinson stated he is aware of the Borough's concerns and that he will be in touch with Fitz and Smith daily until our portion of the road is improved so that we may plow it this winter. Next year, the road will be paved from curb to curb.

### Covington Ridge III Plan

The plan was not recorded as the bonding was not in place. The 90 days expired on November 8 and the bonding was approved today.

E. Stoley moved to re-approve and re-sign the plan pursuant to the previous approvals and waivers.

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

## **SOLICITOR'S REPORT**

### Grim's Glass & Plastics, Inc.

M. Ridgely moved to accept the Consent Agreement that has been tentatively approved by Grim's Glass & Plastics, Inc. with clarification of the buffer issue under the direction of the Borough Engineer.

E. Stoley seconded. The motion carried with R. Buchanan opposed.

### I-83 Rest Stop EDU Issue

PennDOT is concluding the study of the 2003 peak usage. PennDOT is discussing the possibility of paying the equivalent of 19 EDUs. We feel they need to purchase more.

### Municipal Deicing Material Contract

Sol. Rehmeyer will contact Atty. Solymos regarding the contract.

### York County Planning Commission Block Grant Extension

An Amendatory Contract for the stormsewer mapping project extension until June, 2006 was received.

E. Stoley moved to execute the extension contract.

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

### York Area Tax Bureau Resolution/Agreement

C. Skoglund moved to adopt Resolution #2005-8 which adopts the Joint Agreement of Participating Municipalities and School Districts with respect to the York Adams Tax Bureau.

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



**Public Safety, Welfare and Personnel** – Michael R. Caum**Office Hours**

Effective January 1, the office will stay open through lunch and close at 4:00 p.m.

**Pension Actuary/Investments**

We received notice from Principal Financial that their fee for 2006 will almost double at \$15,000.00. R. J. Hall has set up a meeting for November 30 with C. Skoglund and the Secretary to discuss other options.

**Secretary's Report** – Cindy L. Bosley**On-line Training Utility Billing**

The Secretary asked permission to close the office from 9:00 a.m. to 1:00 p.m. on Tuesday November 15 for on-line utility billing training. Permission was granted.

**Tree Lighting Ceremony**

Starbucks would like to provide free coffee during the tree lighting ceremony. Permission was granted.

**Length of Council Meetings**

We need to think of solutions to try to end the meetings by 10:30 p.m. Discussion was held on possible solutions.

C. Skoglund moved to start the meetings at 7:00 p.m. and that the meetings last no longer than 11:00 p.m. and to make use of the second meeting night.

R. Buchanan seconded. After discussion, the motion was withdrawn.

**York Area Tax Bureau****Subdivision, Land Development and Zoning** – Eric W. Stoley**Open Meeting on Signs, Dual Uses**

The Committee held an open meeting and received many form letters supporting larger signs for schools. A compromise will be considered to change sign sizes for churches, public schools municipalities and non-profits. Dual uses in the Village zone are now based on square footage. The Planning Commission will be asked to look at uses that go hand in hand, such as selling antiques in conjunction with an eatery.

### Fireworks

Sol. Rehmeyer was asked to prepare an amendment to the Zoning Ordinance to allow a fireworks business in an Industrial zone close to a water source in case of a fire, but not too close to a residential zone.

### **Planning Commission/Regional Planning Commission**

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

The police budget will be reviewed at the November 16 budget meeting.

### **UNFINISHED BUSINESS**

### **NEW BUSINESS**

### **OTHER BUSINESS**

### **COMMUNICATIONS**

### **ADJOURNMENT**

The meeting was adjourned at 10:11 p.m.

Submitted by,

Cindy L. Bosley, Secretary