

MINUTES

SHREWSBURY BOROUGH COUNCIL

REGULAR MEETING

OCTOBER 10, 2007

PRESENT: Mayor James W. Reedy, Richard R. Buchanan, Michael R. Caum, Thomas D. Metz, 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; Ed Juffe; Mark Beran; Keith Wills; David Clasing

The regular meeting of the Borough Council convened at 7:30 p.m. in the Borough Municipal Building, 35 West Railroad Avenue with President Schnabel presiding.

CITIZEN'S COMMENTS

Ed Juffe of 107 Brook Meadow Circle was present to request that sod be put in place after a sewer line in the right of way behind his property is repaired.

Mr. Juffe was told that next spring, after the ground settles, the area will be filled in, top soil put in place and then it will be seeded with matting on top. This is our standard procedure. Mr. Juffe was told that if the grass seed is not growing by May, he is to call Brian.

Mark Beran of 18 Tree Hollow Drive asked about inspection records for the retaining wall. Although the other property owners with the wall were not present, Mr. Beran stated they were all in agreement that the amended grading plan be followed and for the Borough to undertake enforcement efforts so at this time, an executive session was called to discuss possible litigation.

EXECUTIVE SESSION

An executive session was called at 7:58 p.m. to discuss possible litigation. The meeting was reconvened at 8:35 p.m.

Sol. Rehmeyer stated the Borough will investigate possible enforcement proceedings against the appropriate parties under the applicable ordinances and plans if each and every owner of property that has the wall provides a written, signed, notarized request for the Borough to commence enforcement proceedings. Just one section could not be corrected. Sol. Rehmeyer indicated that the property owners should consider fully the implications to the properties of the revised final grading plan and the issues that may result from enforcement, given the history of the properties and matters discussed at prior meetings. There was discussion that the revised final grading plan could make the yards on the properties less desirable. Sol. Rehmeyer further explained that counsel for Cornerstone Development indicated an unwillingness to change the retaining wall but noted that there have been offers to resolve the issues relative to steps and/or payments. Mark was also told that there may not be a guaranteed result for legal proceedings on these issues which is why the Borough had encouraged a resolution by agreement of Cornerstone Development and the property owners.

Cornerstone Development was not willing to sign the road maintenance agreement that had other requirements in it as well. Sol. Rehmeyer was asked to amend the indemnity agreement and send it to Cornerstone Development that will only include snow removal by the Borough of the unadopted streets in the development providing Cornerstone Development pays the Borough the funds we would have received from Liquid Fuels.

APPROVAL OF MINUTES

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

APPROVAL OF EXPENDITURES AND REPORT OF ACCOUNTS

M. Ridgely moved to approve the expenditures and report of accounts for July and August.
E. Stoley seconded. The motion carried with all in favor with a notation about the Roads chart legend.

BILL LIST

The bill list was presented for September: General account: check numbers 8557 thru 8599; Water account: check numbers 3853 thru 3871; Sewer account: check numbers 3791 thru 3798; Highway Aid: check number 753.

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

SUBDIVISION AND LAND DEVELOPMENT BUSINESS

Public Lands, Buildings and Finance – Michael W. Ridgely

This report was moved up at M. Ridgely's request as he had to leave the meeting.

New Truck

M. Ridgely stated the funds are in the budget for the new pick up truck in the Public Works three way equipment and supplies lines.

M. Ridgely moved to authorize Brian to purchase the truck under the State contract not to exceed \$30,000.00.

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

Southern Regional Police – Richard R. Buchanan

The report for August was highlighted. Buck stated our patrol time went down one tenth of a percent from last year. The 2008 budget should be finalized at next Wednesday's budget meeting. New Freedom Borough would like the Commission to hire another full-time officer. Council did not feel the coverage base increased and they saw no reason to hire another officer which would increase the Borough's 2008 contribution by about \$41,000.00.

M. Ridgely left the meeting at 9:03 p.m.

REPORTS

Codes Enforcement – E. Michael Lee

Nothing to report.

Water & Sewer – Richard R. Buchanan

Market Square EDU Totals

The shopping center has purchased 34 EDUs and should have 42, based on the number of individual stores or units.

A letter will be sent that each store or unit must have an EDU assigned and that eight water and sewer EDUs are owed.

M. Caum left the room at 9:07 p.m.

Water Service Project

Two properties to date have exceeded the \$1,000.00 allotment. A property on Valley Road had connected to the water system a few months before the requirement. Since this occurred during the planning process of making property owners connect, Brian was authorized to offer yard repair in exchange for allowing the Borough to close their well.

There are three property owners who refuse to sign the agreement.

Theft of Water

The property owner at 19 Briarwood Road apparently removed the meter to avoid being charged for water and sewer. It was discovered when a reading of zero appeared for the third quarter billing. After three days of trying to enter the property, the Public Works Department found the floor wet under the meter, the seal was broken and the meter had been removed and was re-installed and was reading backwards. This matter will be reported to the police and the property owner will receive a flat, non-metered rate for water and sewer.

M. Caum re-entered the meeting at 9:15 p.m.

25 Lexington Drive

A water main was struck by the property owner on May 28. Calls were made to the PA One Call on August 14 and September 5, 2006 for a house addition. The Public Works employee saw the stakes for the addition and marked the response as

clear since it was for a house addition as we only mark in the right of way. On May 28, the home owner struck the water main which runs parallel to the street and at that time, the Public Works Department was called out and they made the repairs on Memorial Day incurring a bill of \$608.48. Mr. Clasing asked for a compromise. Because actual charges were paid out by the Borough, we will not reduce the amount billed and if needed, he could pay the amount over two or three months. Mr. Clasing is aware now of calling the PA One Call every ten days if digging is being done.

Public Roads & Lighting – Christopher M. Skoglund

Snow Plow Bids

The following bid was received:

Aquatic Resource Restoration Co. \$105.00/hour for dump truck with 11 foot blade. Options: \$95.00/hour for 6600 truck with a nine foot blade; \$115.00/hour for rubber tire loader with a three yard bucket or 11 foot blade.

C. Skoglund moved to accept the bid for the dump truck with an eleven foot blade at a rate of \$105.00 per hour.

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

Tree in Sight Triangle at 311 West Forrest Avenue

The County Traffic Engineer revisited the intersection and confirms a large truck with a snow plow has difficulty at the intersection and his report has been amended. The stop bar has been put in place per Mr. Bubb's recommendation.

C. Skoglund moved that a letter be sent that trimming needs to be done to a height to be determined by Brian within thirty days of the date of the letter or the Borough will have the tree removed at the property owners' expense.

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

Buck stated the Police Department had the speed trailer in this area which showed about 278 cars in an eight hour time period with at least fifty percent below the speed limit and about 28% being within the ten mile per hour zone. Some were speeding, but not out of line.

West Maple Avenue Paving

Eng. Holley's office has provided an estimate of \$15,395 to remove the blacktop so an additional layer could be installed. The resident is not interested in ownership of the alley. This work will be done in connection with other 2008 or 2009 road work.

ENGINEER'S REPORT

Wellhead Protection Meeting

The annual meeting is tomorrow evening at 7:00 p.m.

Valley View Grove Detention Pond Repairs

Eng. Holley distributed drawings of how Cornerstone Development agreed to repair the pond. This work must be approved by the Soil Conservation District.

Retirement

Eng. Holley stated he will be semi-retiring in 2008 but he will still attend our meetings.

SOLICITOR'S REPORT

Amendment to Zoning Ordinance Regarding Buffers

The revised ordinance is still being reviewed by the York County Planning Commission.

Grease Traps

Sol. Rehmeier's office is in the process of consolidating prior provisions and further defining grease trap regulations.

Grim's Glass & Plastics

To date, there have been no offers on the property. The Millers have been in contact with local business owners who have expressed interest but are concerned as to what the Borough would allow.

Michael Eagan Land Use Appeal

The Zoning Hearing Board is scheduled to announce its decision tomorrow night.

I-83 Rest Stop Issue

Attorney Sharp is reviewing the letter regarding our request for changes to the Agreement.

Employment Manual

The revised manual was supplied.

EXECUTIVE SESSION

An executive session was called at 10:03 p.m. to discuss a pending litigation matter.

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

E. Stoley moved to authorize the Council President to sign the representation letter with Weinstein Realty Appraisers with regard to exploration of a water source.

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

Public Safety, Welfare and Personnel – Michael R. Caum

Employee Handbook

The revised manual was received this evening. A correction needs to be made on Page 15 for the holiday to include New Year's Day and a half day on New Year's Eve Day.

M. Caum moved to adopt the employee handbook as presented pending the holiday corrections.

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

Hemler, ACS 2008 Contract

M. Caum moved to approve the 2008 contract with Hemler, Animal Control Services.

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

Susquehanna Stray Animal League 2008 Contract

M. Caum moved to approve the 2008 contract with the Susquehanna Stray Animal League.

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

Removal of Dead Trees

There was discussion regarding adding the removal of dead trees to the tree trimming ordinance.

Sidewalks along North Main Street

M. Caum said the sidewalks along North Main Street are uneven.

The Secretary was directed to check into a block grant for replacement of sidewalks. The trees are creating a problem with the sidewalks.

Burn Ban

Fire Chief Tony Myers offered that instead of waiting on Council meetings to enact a burn ban, that he be allowed to declare a ban. This was approved and Tony should notify the Secretary who will in turn notify Council.

Secretary's Report – Cindy L. Bosley

The annual meeting of the York County Borough's Association will be on November 10.

York Adams Tax Bureau – Thomas D. Metz

A response was received from the Bureau's director, Lois Kashner, outlining their policy for delinquencies and so forth. The borough office also put in writing what its policy is as far as sharing information with the Bureau and the school district.

Subdivision, Land Development and Zoning – Eric W. Stoley

Review Ordinance #2007-4 amendment to Buffer Zone

E. Stoley moved to authorize Sol. Rehmeyer to advertise the ordinance for adoption.

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

M. Caum moved to amend the motion to add clean stone.

C. Skoglund seconded. After discussion, C. Skoglund retracted his second and the motion was voided. The ordinance was adopted with no changes.

Adopt Ordinance #2007-3 Amending Sign Section

E. Stoley moved to adopt Ordinance #2007-3 which amends the sign section of the zoning ordinance to include electronic signs.

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

Roll call vote:	Buchanan	yes, in favor
	Caum	yes, in favor
	Metz	yes, in favor
	Skoglund	yes, in favor
	Stoley	yes, in favor
	Schnabel	yes, in favor

Resignation of Frank Dittenhafer

Frank Dittenhafer submitted a letter of resignation from the Zoning Hearing Board was regretfully accepted.

Planning Commission – Eric W. Stoley

UNFINISHED BUSINESS

NEW BUSINESS**OTHER BUSINESS****COMMUNICATIONS**

Sol. Rehmeyer reminded Council of the 40th anniversary celebration of the law firm to be held on October 16.

ADJOURNMENT

C. Skoglind moved to adjourn the meeting at 10:47 p.m.

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

Submitted by,
Cindy L. Bosley, Secretary