

**DILLSBURG BOROUGH COUNCIL MEETING
FEBRUARY 19, 2008 – MINUTES**

The Dillsburg Borough Council held their monthly business meeting at the Dillsburg Area Authority Building on the above-mentioned date. Council Members attending were President Jeff Griffin, Vice President Mark Ryder, David Baldwin, Michael Whitzel and Kathryn Zeiders. Also present were the following: Mayor Henry Snyder, Borough Solicitor Mark Allshouse, Borough Manager Karen Deibler and Borough Secretary/Treasurer Debbi Beitzel.

Council Members Holly Kelley and John Richardson were not present.

The following visitors were present: Ed McCoy from Citizens' Hose Fire Company #1, Chief Jack Francis from Carroll Township Police, Mary Lou Bytof from the Dillsburg Banner, the Borough's DAA Representative Brian Radcliffe, Planning Commission Representatives Allen Reeves and Leon Zeiders, NYCHAPS Representatives Joanne and Larry Klase and Dillsburg Borough Resident Jeff Beitzel.

The meeting was called to order by President Griffin at 7:00 PM followed by the Pledge of Allegiance to the flag and an invocation.

APPROVAL of the AGENDA

President Griffin added the following items under New Business: C. DEP Meeting; D. DABA Mixer & E. 175th Anniversary Update. Vice President Ryder moved to approve the agenda with corrections as noted. Motion was seconded by Council Member Zeiders. – Motion Carried.

APPROVAL of the MINUTES

January 8, 2008 Council Meeting – Council Member Zeiders indicated on page three, under Franklinton Community Fire Company, the word “proved” should be “provided” and on page five, under President Jeff Griffin's report the word “to” should be “do”. Council Member Baldwin moved to approve the Council Meeting minutes of January 8, 2008 with corrections as noted. Motion was seconded by Council Member Zeiders. – Motion Carried.

January 22, 2008 Special Council Meeting – Council Member Zeiders moved to approve the Special Council Meeting minutes of January 22, 2008 as presented. Motion was seconded by Vice President Ryder. – Motion Carried.

February 5, 2008 Committee Meeting – Council Member Zeiders moved to approve the Committee Meeting minutes of February 5, 2008 as presented. Motion was seconded by Council Member Baldwin. – Motion Carried.

DEPARTMENT REPORTS

Police Department Report

Chief Jack Francis reviewed the January 2008 Dillsburg Borough Police Report with Council and Mayor. The report listed the numbers and types of offenses and traffic incidents. The report also supplied the Council and Mayor with a “crimes clear rate” and a breakdown of hours worked. The total incidents filed for the month of January were 118, which was 13 less than the same time period last year. There were six traffic accidents for the month of January, which was identical to the same time period last year and included one reportable traffic accident and five non-reportable accidents. There were 24 traffic citations for the month of January, which was seven more than the same time period last year. The majority were written up for serious violations which included speeding, reckless and/or careless driving.

Part I offenses for the month of January, there was a total of two, which included two larceny thefts, with a clearance rate of 50%. Part II offenses for the month of January, there were 12 incidents, which included three criminal mischief/vandalisms, one DUI, two drug offenses, four harassments, one liquor law offense, and one other, of which nine were cleared, with a clearance rate of 75%. The overall clearance rate is 71%.

Chief Francis indicated the department did some smooth operator enforcement in the Borough which is a United States Department of Transportation Grant Program designed to target aggressive driving. Council Member Zeiders asked if this resulted in any citations. Chief Francis stated they were included in the report.

Vice President Ryder indicated he saw one of the officers enforcing one of the Borough Ordinances last Friday when a vehicle was parked illegally. He also stated the ordinances are being enforced in the Borough. Chief Francis indicated there was a complaint about the citation given and the two-hour parking will be addressed.

Vice President Ryder thanked the Chief for including the overtime hours on the monthly report. Chief Francis stated if there were any questions regarding the overtime to address them through the Public Safety Committee or directly to him, rather than publicly due to the direct incidents involved.

Chief Francis stated a proposal would be sent in the near future to continue police service in the Borough.

Mayor Snyder asked if the “no oversize trucks” on side streets is being enforced. Chief Francis indicated the officers are enforcing the rule when they see a problem.

Ambulance Service Report

EMS provided Council and Mayor with a written report, but wasn't present due to a training session.

Fire Company Report

Citizens' Hose Fire Company – Deputy Chief Ed McCoy presented a report for the month of January to Council and Mayor. Mr. McCoy indicated for the month of January there were 36 runs; eight were in Dillsburg Borough, which included three medical assists, two motor vehicle accidents, one controlled burn, one automatic fire

alarm and one standby (radio system went down). He also presented a report with the membership responses for January.

He indicated the fire company received a grant in the amount of \$21,000.00; \$17,000.00 is going towards the tower payment and \$4,000.00 towards gas meters.

Deputy McCoy stated their Membership Banquet would be held in March and invitations have been mailed.

Franklintown Community Fire Company – No one was present and no report was provided.

Treasurer's Report

The Unpaid Bills Detail and a list of Additional Expenditures were given to each Council Member and Mayor in their packet of information. The total General Fund expenditures for January would be \$54,475.47. The Profit & Loss Budget vs. Actual Detail Report and a Cash Flow Report were also given to each Council Member and Mayor. Council Member Zeiders asked about the Met Ed payment in regards to replacing the street light in PR, what is PR. Manager Deibler indicated it meant Pheasant Ridge. Council Member Zeiders also asked about the York County SPCA payment. Manager Deibler indicated it was for the annual membership fee for 2008. Council Member Baldwin moved to approve the payment of all Unpaid Bills as presented. Motion was seconded by Vice President Ryder. – Motion Carried.

Planning Commission Report

Allen Reeves indicated the Planning Commission continues to review the Winfield Development Phase 1 Final Development Plans and has discussed the property on 30 Greenbrier Lane

Logan Park Authority

President Griffin indicated there was nothing to report.

Dillsburg Area Authority

Mr. Brian Radcliffe reported on the January 15, 2008 meeting. They had Election of Officers: Jim Creavy was elected as Chairman, Mervin Ice was elected Vice Chairman, Louis Albert was elected Secretary, Ted Pesarchick was elected as Assistant Secretary, and Lynn Potts was elected as Treasurer.

Mr. Radcliffe indicated Well #7 has been in development for a while and should be on line and will add to the entire water supply of the area.

Mr. Radcliffe also stated the board approved a sewer rate increase. The rate increase for the Dillsburg Borough would go in place on April 1st and the first change will show on the August 10th bills. He indicated this adds a \$20.00 per quarter base rate per EDU and reduces the per gallon rate; the net effect on the Borough residents would be \$6.00 per month or \$18.00 per quarter. Council Member Zeiders asked how this compared to the other municipalities. Mr. Radcliffe indicated he didn't have those figures. Council Member Zeiders also asked why it fluctuates between municipalities.

Mr. Radcliffe indicated it has to do with the nature of the sewer systems and when they were put in.

Engineer's Report

Borough Engineer Tim Knoebel wasn't present but provided Council and Mayor with a written report for January 2008 work performed.

Solicitor's Report

Solicitor Allshouse provided Council and Mayor with a written report for January 2008 work performed. He indicated the predominant issue was the Chesapeake Bay litigation fund which would be discussed later in the meeting.

Tax Collector

Cristina Speicher wasn't present but provided Council and Mayor with a written report.

Borough Staff Report

Borough Manager Deibler provided Council and Mayor with a written report and had nothing to add.

PUBLIC COMMENT

There was none.

CORRESPONDENCE

There was none.

MAYOR'S REPORT

Mayor Snyder had nothing to report.

PRESIDENT'S REPORT

B. April Council Meeting Change - President Jeff Griffin indicated he attended the following meetings: Logan Park Authority meeting on January 6th, along with Council Member Kelley; Carroll Township Planning Commission meeting on January 10th along with Council Member Kelley and Planning Commission Members Reeves and Zeiders; Northern York Community Services Foundation meeting on January 9th; conducted the Special Council meeting on January 22nd; 175th Anniversary meetings for the Borough on January 23rd and January 29th, along with Vice President Ryder and Council Member Kelley; Zoning Hearing Board meeting on January 24th; and the Northern York Regional Comprehensive Plan meeting on January 30th, along with Vice President Ryder, Council Members Kelley, Richardson, and Zeiders and Manager Deibler.

President Griffin stated the Dillsburg Borough Council meeting scheduled for Tuesday, April 8, 2008 at 7:00 PM. has been rescheduled for Wednesday, April 9, 2008 at 7:00 PM in order to celebrate the 175th Anniversary of the Borough of Dillsburg. All Borough residents and friends are invited to attend the meeting and celebration. The meeting will be held at the Dillsburg Area Authority Building located at 98 West Church Street. For further information, contact the Borough Office at 717-432-9969.

- C. LGAC/YCPC Volunteer - President Griffin stated the Dillsburg Borough is looking for a resident who is interested in serving his/her community as a representative of the Dillsburg Borough at YCPC/LGAC meetings. The York County Planning Commission/Local Government Advisory Committee (YCPC/LGAC) Executive Subcommittee of York County consists of at least one representative from each municipal region in the County. The primary responsibility of the Executive Committee is to review and comment on all planning-related projects handled by the York County Planning Commission. Through this Committee local municipalities are provided with the opportunity to express their views on planning projects. Meetings are held in York once a month. Any Borough resident who is interested should contact Karen Deibler, Dillsburg Borough Manager, at 432-9969. This is a great opportunity to make a real difference in your community.
- A. NYCHAPS Donation – President Griffin presented Larry Klase with a weather vane found in the Borough Office basement. Larry Klase indicated the weather vane would be put into storage until they did an appropriate building for it.

COMITTEE REPORTS

Public Works Committee

- A. Discuss/Take Action – 30 Greenbrier Lane/303 Harrisburg Pike Sub-Division Waiver – Vice President Ryder stated the Planning Commission moved that Mr. & Mrs. Mikos must request the Borough Council to waive the requirement that a Preliminary Subdivision Plan be submitted and approved before consideration of a Final Plan. Mrs. Jeanette Mikos has contacted the Borough and requested that a waiver to Section 22-403 of the Borough’s Subdivision and Land Development Ordinance Code be granted. Vice President Ryder moved to approve the Mikos’s request to waive the requirement, per Section 22-403 of the Borough’s Subdivision and Land Development Ordinance Code, that a Preliminary Plan be submitted and approved before consideration of a Final Plan. Motion was seconded by Council Member Whitzel. – Motion Carried.

Public Safety Committee

- A. Discuss/Take Action – Appoint DEMA Member – Council Member Baldwin stated Beth Tauser of Wellsville, PA is currently a member the CERT team and the Public Information Officer. She has been consistently active in the DEMA meetings, has been a strong advocate for continued training and participates in the Safe School meetings at Northern York School District. Council Member

Baldwin moved to appoint Ms. Beth Tauser to serve at the pleasure of Council as a member of the Dillsburg Emergency Management Agency. Motion was seconded by Council Member Zeiders. – Motion Carried.

Administration Committee

- A. Capital Region COG Chesapeake Bay Challenge – Council Member Zeiders stated the Chesapeake Bay Strategy was created by DEP in an effort to bring about a reduction in the total nitrogen and phosphorus reaching the Bay. According to the DEP, the majority of these nutrients originate from non-point sources, such as farms. The Strategy will require the vast majority of the cost of compliance to be paid by the ratepayers of wastewater treatment plants, which many see as unfair. Capital Region Council of Governments (COG) is organizing a legal challenge to the PA DEP’s Chesapeake Bay Tributary Strategy. Council discussed the issue at the February 5, 2008 Committee meeting and agreed that as a member of COG, Dillsburg Borough will support and participate in the legal challenge and has contributed \$500.00 to the Challenge Fund. Solicitor Allshouse indicated a letter was received from a law firm that will be representing the COG. The law firm sent participating municipalities a fee agreement which states they will bill the municipalities \$275.00 per hour and a signature is required on the fee agreement. Solicitor Allshouse also stated the letter tells how they would be billing the municipalities and they have recognized the Borough has contributed to the COG Escrow Account. The agreement would bind the Borough into continued payment of legal fees which would not be guaranteed to be capped at any amount until at which time the Borough decides to get out or see the thing through. Solicitor Allshouse indicated the Council should review the document and explore whether the Council wants to sign a fee agreement and be legally obligated. President Griffin asked if there was a deadline in which to sign the document by. Solicitor Allshouse indicated there wasn’t. Solicitor Allshouse stated if the Council chooses not to participate because of the uncertainty, the next step would be to write a letter to COG advising them they wish not to participate. Council Member Baldwin stated the original concept was that COG was to handle the challenge, not the individual municipalities. Solicitor Allshouse suggested to the Council to review the document and provide any questions they might have to Manager.
- B. Resolution 2008-2 – Appoint UCC/Housing Board Members – Council Member Zeiders stated the Borough of Dillsburg needs persons who are willing to serve their community. Each year Council reviews for any upcoming openings on Committees and Authorities that serve the Borough and considers appointments for those positions. Council would like to recognize people who have responded to the need for volunteers and appoint those persons to serve by adopting Resolution 2008-2. Council Member Zeiders moved to adopt Resolution 2008-2 appointing the following to serve on the Borough’ UCC/Housing Board:
- Michael Adams to a two-year term through December 31, 2009
 - Les Engle to a one-year term through December 31, 2008

Gary Shearer to a three-year term through December 31, 2010
Motion was seconded by Vice President Ryder. – Motion Carried.

OLD BUSINESS

There was no old business.

NEW BUSINESS

- A. Capital Region COG Verizon Negotiations – Council Member Zeiders moved the Dillsburg Borough join in with Capital Region COG to participate in the upcoming Verizon Franchise negotiations. Motion was seconded by Vice President Ryder. – Motion Carried.
- B. York County Solid Waste Authority Recycling Can Purchase Contract – Manager Deibler indicated the Borough is in need of some new recycling bins. YCSWA and Penn Waste were notified and suggestions were received from them. They suggested getting bigger bins as well as keep the ones we have now. The bins that are being looked at are 32 gallon bins and she would order at least 500. The residents who would want larger bins could bring in their smaller ones and exchange them. Manager Deibler stated in talking with YCSWA for the past 18 years when municipalities wanted new recycling receptacles they would find out what the municipalities wanted/needed and they would order them and then the municipalities would be responsible for 10% of the cost; the other 90% would be applied for through a grant from DEP. Manager Deibler indicated if DEP would deny the grant, the Borough would be responsible for 100%. Vice President Ryder moved to authorize the Borough Manager to purchase 500 32-gallon recycling bins without lids. Motion was seconded by Council Member Baldwin. – Motion Carried.
- E. 175th Anniversary Update - Vice President Ryder indicated he attended the meeting held on January 29th, along with President Griffin, Council Member Kelley, Dave Kelley and Bob Kiehl from DABA, Larry Klase from NYCHAPS and Peggy Williams from the Banner. President Griffin is handling the ministerial service being held on Friday, August 22nd at 7 PM at the old Monaghan Presbyterian Church; Parade on Saturday, August 23rd at 10 AM and looking for a chairperson; block party and celebration on Greenbrier Lane and Dill's Tavern. Vice President Ryder indicated they are looking for some antique cars and tractors and have been in contact with several past police officers, mayors and others. Council Member Kelley is preparing a letter to be sent to local non-profit organizations to help participate. Vice President Ryder indicated the next meeting will be held on Wednesday, February 20th at 6 PM at the Maple Shade Barn. Vice President Ryder stated if anyone would be interested in helping, to let one of the Council Members know or come to the meeting. Discussion on some of the things the committee is working on. President Griffin stated he has been in contact with Representative Perry, Senator Vance, Todd Platts and the White House to get citations from their offices and they have been

invited to attend the celebration. Larry Klase indicated after the Vespers Service there would be entertainment at the Dill's Tavern.

- C. DEP Meeting – President Griffin indicated the Department of Environmental Resources had scheduled a meeting on Wednesday, February 20th at 10 AM in the second floor auditorium of the Rachel Carson Building, 400 Market Street, Harrisburg, to discuss the clean water act dealing with the Chesapeake Bay Strategy. He asked if anyone from the Council could attend. Council Member Zeiders indicated she would attend. Discussion.
- D. DABA Mixer – President Griffin invited Council to the DABA Mixer on Thursday, February 21st, from 5-7 PM at the Allstate Insurance at the Village Shops. Vice President Ryder indicated he would be attending.

ADJOURNMENT

Since there was no further business, Vice President Ryder moved to adjourn the meeting. Motion was seconded by Council Member Baldwin. – Motion Carried. The meeting was adjourned at 7:59 PM.

Respectfully Submitted,

Debbi L. Beitzel, Secretary/Treasurer

cc: Borough Council Members
Mayor Snyder
Tim Knoebel
Mark Allshouse