

**175TH ANNIVERSARY
DILLSBURG BOROUGH COUNCIL MEETING
APRIL 9, 2008 – MINUTES
7:00 PM**

The Dillsburg Borough Council held their monthly business meeting at the NYCHAPS Maple Shade Barn on the above-mentioned date. Council Members attending were President Jeff Griffin, Vice President Mark Ryder, David Baldwin, Holly Kelley, John Richardson, and Kathryn Zeiders. Also present were the following: Mayor Henry Snyder, Borough Engineer Tim Knoebel, Borough Solicitor Mark Allhouse, Borough Manager Karen Deibler and Borough Secretary/Treasurer Debbi Beitzel. Council Member Michael Whitzel arrived at 7:55 PM.

The following visitors were present: Ed McCoy from Citizens' Hose Fire Company #1, Keith Heckert, Josh Wolf, and Mike Tucci from Citizens' Hose Fire Company #1 EMS, Peggie Williams from the Dillsburg Banner, the Borough's DAA Representative Mervin Ice, Planning Commission Representatives Allen Reeves, Brian Radcliffe and Leon Zeiders, NYCHAPS Representatives Joanne and Larry Klase, Greg Groshek from Wellsville Borough Council, Dillsburg Borough Residents Jeff Beitzel, Stacey Ryder, Jason Sparrow, Curt Werner, Charles Comrey, David Kelley, Phyllis Griffin, George and Alyce Jackson and visitors, Representative Scott Perry, Ann Marie and Garrett Knoebel, Bob and Maureen Wilson.

The meeting was called to order by President Griffin at 7:05 PM followed by the Pledge of Allegiance to the flag led by Representative Scott Perry and an invocation.

APPROVAL of the AGENDA

Council Member Richardson moved to approve the agenda as presented. Motion was seconded by Vice President Ryder. – Motion Carried.

APPROVAL of the MINUTES

March 11, 2008 Council Meeting – Council Member Zeiders asked what “CO” meant on page three under the Citizens' Hose Fire Company. Deputy Chief McCoy indicated it was carbon monoxide. President Griffin indicated on page two, under the Police Department report, the last paragraph, Dill Alley should be Bomar Alley and on page three, under Logan Park Authority report, the last paragraph, the next meeting should read April 16th. Council Member Zeiders moved to approve the Council Meeting minutes of March 11, 2008 with corrections. Motion was seconded by Council Member Richardson. – Motion Carried.

April 1, 2008 Committee Meeting – Council Member Zeiders moved to approve the Committee Meeting minutes of April 1, 2008 as presented. Motion was seconded by Vice President Ryder. – Motion Carried.

DEPARTMENT REPORTS

Police Department Report

No one was present but a written report for the month of March 2008 was provided for Council and Mayor.

Ambulance Service Report

Keith Heckert provided a report for the month of March to Council and Mayor. There were a total of 95 calls in the month of March and 12 of them were in Dillsburg Borough, which include ten medical calls and two motor vehicle accidents, for a year-to-date of 40 calls in the Borough of Dillsburg and a total of 300 for all municipalities.

He indicated the subscription membership drive has been mailed out and if anyone doesn't receive one to contact them.

He stated on Traci Cook's behalf she would like to thank the Borough Staff for everything they've done with the membership drive.

Fire Company Report

Citizens' Hose Fire Company – Deputy Chief Ed McCoy presented a report for the month of March to Council and Mayor. Mr. McCoy indicated for the month of March there were 21 runs; four were in Dillsburg Borough, which included one Haz-Mat, two EMS assists and one motor vehicle accident, for a year-to-date total of 15 runs, which is 17% of the total runs. He also presented a report with the membership responses for March.

He indicated some money was being used to fix up the fire station (new dry wall and paint).

He stated the new radio system was coming along for York County and the pagers are coming in June. This end of the County will be the next to last ones to get the system installed in the vehicles. He indicated once the pagers are received, York County will do away with the current system as soon as possible.

Mr. McCoy indicated on May 3, 2008, there will be a Family Fun Night fundraiser being held at the fire house.

Council Member Kelley asked if Citizens' Hose is the last one to be rolled out then are they going to be implemented during the rollout. Deputy Chief McCoy stated they will try to get it online as fast as possible and hopefully they will have all the bugs worked out when they get to us. He also indicated they will have two devices initially.

Mr. McCoy stated on Sunday, April 6th, there was Haz-Mat training conducted and all 23 participants passed.

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 March were \$67,699.20. The Profit & Loss Budget vs. Actual Detail

Report and a Cash Flow Report were also given to each Council Member and Mayor. Council Member Richardson moved to approve the payment of all Unpaid Bills as presented. Motion was seconded by Council Member Zeiders. – Roll call was taken and motion was carried unanimously. Council Member Whitzel was absent.

Planning Commission Report

Mr. Allen Reeves indicated the Planning Commission met on March 26th and the primary issues being reviewed and possibly coming to an end are the Mikos/30 Greenbrier Lane Project and the Winfield Development Plans.

Logan Park Authority

Stacey Ryder indicated the LPA met on March 19th and there was a lot of general discussion on the construction status of the barn. She also indicated the Dillsburg Borough had donated \$4,000.00 towards the completion of the barn. The Dillsburg Area Soccer Club is also looking at donating something. There are some updated and new items to be placed in the barn regarding the heating and cooling units, purchasing flooring, and also purchasing supplies to finish the upstairs room. She also stated they are looking into getting the windows up to code. In addition she stated they hope to have working bathrooms by the opening day of baseball and softball season.

Mrs. Ryder indicated LPA is looking into new gates for the park.

She indicated a letter was received from the high school about community service projects for students needing hours.

She stated the Kiwanis Club had a work detailed on Saturday, April 5th on the playground and doing other chores in the park.

Dillsburg Area Authority

Mr. Mervin Ice indicated the Winfield and Sheetz projects request for water and sewer is coming up for a vote and approval on Tuesday, April 15th.

He indicated the Authority was digging around the fire hydrant at 30 Greenbrier Lane because the new owner reported the basement of the house was wet and believed it to be a leak in the lines. He indicated no leaks were found.

Engineer's Report

Borough Engineer Tim Knoebel provided Council and Mayor with a written report for March 2008 work performed. He indicated most of their work was dealing with inspections at Sheetz, some review work with Chestnut Hollow and preparing the report for the recommendations for the 2008 street maintenance work.

He introduced his wife, Ann Marie and son, Garrett.

Solicitor's Report

Solicitor Allshouse provided Council and Mayor with a written report for March 2008 work performed. He indicated there were three (eci, Sealover and Sheetz) land development and subdivision issues reviewed and some major issues from the Borough Manager.

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. Council Member Kelley asked if responses were being received in regards to the surveys. Manager Deibler stated a good response was being received and will have the results for Council to review at the May meeting.

PUBLIC COMMENT

Larry Klase welcomed everyone to the NYCHAPS barn and invited all present to take a tour of the upstairs. He stated NYCHAPS organization evolved out of the 150th Celebration.

Chuck Comrey, 16 Dove Court addressed the Council about the letter regarding the new rates that was received from the Authority. He asked the Council to think about requesting of the Authority to explain what the updates are on the sewage facility. He indicated there are a lot of senior citizens in the town that can't afford the new increase. He suggested with all the new construction (ie: Sheetz and new developments) there should be a surcharge placed on them because they are increasing the demands on the system. Council Member Baldwin stated DAA did implement a plan to surcharge new developments for the upgrade. They pay a reservation fee upfront in the amount of \$2,500.00-\$3,000.00 per EDU. Mr. Comrey indicated a \$20.00 increase is a lot of money. Council Member Baldwin indicated DAA is restructuring the way they charge.

Representative Scott Perry thanked Council for their invitation. He indicated he was here to listen and find out what issues are important to the different municipalities. He commented to Mr. Comrey in regards to the sewer increase because anyone connected to public sewer and water is going to be affected by the increase. He indicated DAA isn't doing something that isn't needed; this is being pushed on them by DEP because of the Chesapeake Bay situation. Discussion. Mr. Comrey stated the senior citizens that live in this town can't afford it. Rep. Perry indicated DEP who is very unhappy with the authorities; the Dillsburg Area Authority is the only one charging the new applications for new EDU's.

Jason Sparrow, 21 West Harrisburg Street, indicated he had a plea for his family. He has an 8-year old and a 14-year old and has some serious problems where he lives. The problem being his wife was attacked by a dog in the neighborhood doing some serious damage to her face. The owner of the dog is being charged with some criminal actions by the Carroll Township Police. Mr. Sparrow continued by indicating they have gone through some serious problems which all have been reported and nothing seems to be done. He indicated he is very fearful for his family. He mentioned some incidents that have occurred:

January 3 – 28: Dead animals have been cleaned up from his yard.

January 28: Tires on vehicles were slashed.
February 22: Cleaned up bags of dog feces from front porch.
February 27: Wife hit in face with dead rodent by neighbor's children.
Date unknown: Family dog let out of fenced yard.
February 3: Family dog blinded by chemicals.
February 4: Confronted child who was believed to have blinded dog and was struck and assaulted.
April 2: Family dog poisoned by tainted hot dogs thrown on upper deck.
April 6: Family dog was buried.

He stated without physical proof he can't do anything more than to come before Borough Council and plead his case. He indicated the press is aware of the situation. Vice President Ryder asked if each incident was reported to Carroll Township Police. Mr. Sparrow stated yes. Mr. McCoy, Deputy Chief, asked what kind of poison it might have been. Mr. Sparrow stated all he could say was that it smelled like chemicals that would be used to clean a pool and bleach because it burned a hole in his wife's clothes. He indicated he had a report from Winding Hill Veterinary states that something definitely burned through the skin. Vice President Ryder stated as a Council they would follow up with the Carroll Township Police Department.

CORRESPONDENCE

There was none.

MAYOR'S REPORT

Mayor Snyder indicated Jeff Thomas from Espys contacted him and he had updated him on the aerial picture of the Myer's Property. Mr. Thomas will pick the picture up at the Borough Office and add it to the documentation for DEP for their clean-up.

PRESIDENT'S REPORT

President Jeff Griffin welcomed everyone to the 175th Anniversary of the Borough. He stated had the Borough met every month for the last 175 years, tonight's meeting would be the 2,100th meeting.

He announced the Dillsburg Borough will be collecting leaves on April 14, 2008 – Weather Permitting. We will only be collecting "Leaf Waste" – Leaves fallen from trees, bushes or the like only, do not include garden waste, tree trimmings, shrubbery, chipped shrubbery and/or other vegetation. Leaves may be placed out no earlier than 24 hours prior to April 14th, and no later than 7 AM on day of pickup. Please call the Borough Office with any questions.

He announced street sweeping will take place on Tuesday, April 29, 2008, and Wednesday, April 30, 2008. The streets will be posted and any vehicles not moved will be ticketed by the police.

President Griffin announced the Little League Opening Day Parade is scheduled for Saturday, April 19th, beginning at 9 AM and asked motorists to drive carefully through town.

He reminded everyone that Election Day was on Tuesday, April 22nd and the polls will be open from 7 AM to 8 PM at the Dillsburg Senior Citizens Center.

President Griffin indicated he attended the Pandemic Flu Workshop on March 12, 2008, which was hosted by DEMA, along with Vice President Ryder, Council Members Richardson, Kelley, and Zeiders, Borough Manager Deibler and Planning Commission Member Leon Zeiders.

He attended the Citizens' Hose Fire Company Appreciation Banquet on March 15, 2008 along with the Mayor and several Council Members.

President Griffin indicated he attended 175th Anniversary meetings on March 25th, 31st and April 7th to coordinate the activities that are being planned for August 22nd and 23rd.

He reminded everyone to send in or drop off their surveys to the Borough Office.

President Griffin stated DEMA is planning to hold a CERT training session and would like to know if anyone is interested. They are planning to hold these sessions the week of May 5th and May 12th or May 12th and May 19th. He indicated weeknight sessions would be from 6-9 PM or 7-10 PM and the final session would be 3-hours on a Saturday from 9AM to 12PM. Anyone interested should contact President Griffin or the office.

COMITTEE REPORTS

Public Works Committee

- A. Discuss/Take Action – Hire Permanent Part Time Seasonal Help - Vice President Ryder stated there is a great deal of work to do in the Borough of Dillsburg, including regular maintenance, painting crosswalks in residential areas, painting curbs, street maintenance, sign maintenance, leaf pick up and snow plowing to name a few. In order to complete the work in an orderly and timely manner, extra manpower is required. Vice President Ryder moved to approve the hiring of Barry L. Murphy of Dillsburg Borough as a permanent, part time, seasonal Public Works employee at the pay rate budgeted for. He will be scheduled to work based on the immediate tasks scheduled and the weather. Motion was seconded by Council Member Richardson. Roll call was taken and motion was carried unanimously. Council Member Whitzel was absent.
- B. Discuss/Take Action – Chestnut Hollow Final Subdivision and Land Development Plan for Phase 2 Extension Request – Council Member Richardson stated the developer of the Chestnut Hollow Development submitted a Final Phase 2 Land Development & Subdivision plan to the Dillsburg Planning Commission in October of 2007. At this time there are certain deficiencies, matters of incompleteness or other similar items by reason of which the Council cannot approve the plans. The Borough has received correspondence from the developer requesting that a time extension be granted in order for this situation to be resolved before further action is

taken. Council Member Richardson moved to grant a Time Extension until July 23, 2008 for the Chestnut Hollow Final Subdivision & Land Development Plan for Phase 2. Motion was seconded by Vice President Ryder. Roll call was taken and motion was carried unanimously. Council Member Whitzel was absent.

- C. Discuss/Take Action - Chestnut Hollow Phase 2 Sewage Planning Module – Vice President Ryder stated Chestnut Hollow Phase 2 has contacted the Borough and requested that Dillsburg Borough Planning Commission and Dillsburg Borough Council approve and sign a Sewage Planning Module for the Chestnut Hollow Phase 2 for submission to DEP. Planning Commission reviewed the plan at their March meeting and have recommended that Council approve the Module. Vice President Ryder moved that that Council approve the Sewage Planning Module for submission to DEP. Motion was seconded by Council Member Richardson. Council Member Baldwin asked why a sewage module was needed when they will be on public sewer and water. Engineer Knoebel stated in various circumstances DEP, the Authority or the municipality can require a module opposed to an exception module. Roll call was taken and motion was carried unanimously. Council Member Whitzel was absent.
- D. Discuss/Take Action – Time Extension Request for 30 Greenbrier Lane Subdivision – Council Member Richardson stated Mr. and Mrs. Daniel Mikos of 945 Mount Zion Road in Dillsburg, PA submitted a subdivision plan for 30 Greenbrier Lane to the Dillsburg Planning Commission in January of 2008. At this time there are certain deficiencies, matters of incompleteness or other similar items by reason of which the Council cannot approve the plans. The Borough has received correspondence from Mr. & Mrs. Mikos requesting that a time extension of 60-days be granted in order for this situation to be resolved before further action is taken. Council Member Richardson moved to grant a 60-day Time Extension valid through June 23, 2008 for the 30 Greenbrier Lane Subdivision Plan. Motion was seconded by Vice President Ryder. Roll call was taken and motion was carried unanimously. Council Member Whitzel was absent.
- E. Discuss/Take Action – 2008 Street Repair Bids – Vice President Ryder stated on April 1, 2008, Council reviewed a list of potential repairs provided by Public Works Supervisor, Dale Shearer. Borough Engineers from KPI also provided Council with a list of potential repair locations that had been inspected, evaluated and measured. A decision was made as to what repairs would be completed in 2008. The cost of these repairs is estimated to be in the range of \$62,000.00. A bid document must now be created and the project must be advertised for bid. Vice President Ryder moved to authorize Engineers Knoebel and Begis to compile the information, create a bid item document, and advertise the project for bid in regards to the Borough's 2008 street repairs. Motion was seconded by Council Member Richardson. Roll call was taken and motion was carried unanimously. Council Member Whitzel was absent.

Public Safety Committee

- A. Discuss/Take Action – Ordinance 2008-4 – Amending the Code of the Borough of Dillsburg Chapter 15, Part 4, Section 15-404 - Council Member Richardson stated the purpose of this Ordinance is to amend Chapter 15 Part 4 Section 15-404 to provide for the limitation of the parking of commercial vehicles in the (T-C) Town Center District, (C-H) Commercial Highway District, (M-C) Manufacturing Commercial District, (P-C) Planned Commercial District and (MU-C) Mixed Use Center District. Council Member Richardson moved to adopt Ordinance 2008-4, amending the Code of the Borough of Dillsburg Chapter 15, Part 4, Section 15-404. Motion was seconded by Council Member Baldwin. Roll call was taken and motion was carried unanimously. Council Member Whitzel was absent.

Council Member Baldwin requested an executive session with the Borough Solicitor, Borough Engineer, and Borough Manager to discuss the Zoning Hearing Board Decision at a time to be determined tonight. The meeting was scheduled for Monday, April 14th at 5:30 PM at the Borough Office.

Administration Committee

- A. Discuss/Taken Action – Resolution 2008-4 - Participation in the NYCSF Summer Program - Council Member Zeiders stated the Dillsburg Area Summer recreation program is a popular recreational and educational activity for the youth of Dillsburg. Again this year the Northern York Community Services Foundation will administer the program. All Dillsburg Area municipalities have been asked to participate by paying half of the \$100.00 registration fee for each of their young residents attending the program. Council Member Zeiders moved to adopt Resolution 2008-4 authorizing the Borough to become a participating municipality in the Northern York County Services Foundation's Summer Program. Motion was seconded by Council Member Kelley. Roll call was taken and motion was carried unanimously. Council Member Whitzel was absent.
- B. Discuss/Take Action – Ordinance 2008-3 – Amending and revising the Code of the Borough of Dillsburg, Chapter 22, Part 5, Section 22 – Council Member Zeiders stated the purpose of this Ordinance is to amend Chapter 22 Part 5 Section 22-500(4) to provide design guidelines for development of exterior façades visible from public streets, residential district boundaries, residences or other residential uses and to support the undertaking and development of urban renewal and revitalization projects within the Borough of Dillsburg. Council Member Zeiders moved to adopt Ordinance 2008-3, amending and revising the Code of the Borough of Dillsburg, Chapter 22, Part 5, Section 22. Motion was seconded by Council Member Kelley. Roll call was taken and motion was carried unanimously.
- C. Discuss/Take Action – Tax Exoneration Request Case 2008-1 – Council Member Kelley stated the Borough has received a request for Tax Exoneration for Per Capita and Occupation Tax from Tax Exoneration Case #2008-1. The request has been reviewed by the Borough Manager and the Tax Collector who concur that the applicant has met the requirements for tax exoneration. Council Member

Kelley moved to grant the request for 2008 Per Capita Tax and 2008 Occupation Tax Exoneration Case #2008-1 as submitted. Motion was seconded by Council Member Zeiders. Roll call was taken and motion was carried unanimously.

- D. Discuss/Take Action – Zoning Hearing Board Member Resignation – Council Member Kelley stated Council has received a resignation letter from Dillsburg Borough’s Zoning Hearing Board Chair Douglas Boelhouwer. Although Mr. Boelhouwer served on the Zoning Hearing Board for only a little over a year, he did an exceptional job and we thank him. Council Member Kelley moved with deep regret, to accept Mr. Douglas Boelhouwer’s resignation effective immediately. Motion was seconded by Council Member Zeiders. Roll call was taken and motion was carried unanimously.

OLD BUSINESS

There was no old business.

NEW BUSINESS

Vice President Ryder indicated at the last Capital Region COG meeting they continue to battle the Chesapeake Bay issue and the suit has been filed.

Vice President Ryder thanked the Borough Staff, John Deibler and Jeff Beitzel for their help with the electronic recycling on Saturday, April 5th at the Borough Maintenance Building. He stated by noon there were 12 skids of used items.

Vice President indicated he attended the York County Borough Association’s meeting on Thursday, March 27th at the Spring Grove Fire House. The presenter was from York County Block Grant.

175TH ANNIVERSARY CELEBRATION – ORIGINAL INCORPORATION

President Griffin stated Council will read the original incorporation act that incorporated the Borough on April 9, 1833. In consideration of the service of Captain Matthew Dill and helping to secure the transport route, Thomas and Richard Penn, Governors of the Providence of Dillsburg granted Dill a tract of 504 acres. Dill’s son, Colonel Matthew Dill was later awarded his own parcel of land for service in the Revolutionary War which was eventually the site on which the town of Dillsburg was laid out and incorporated. On this date in 1833, Dillsburg became officially incorporated and named in honor of Colonel Dill. At the time Dillsburg was established, the population was 200; today the official population is 2,063 as of the 2000 census. Council Members took turns reading the incorporation. (See attached) President Griffin stated at the first election, John Lynch was inspector, Jacob Heiges and Charles Stough, judges, George L. Shearer was chosen chief burgess; Daniel Ahl, assistant burgess; Daniel Bailey, Robert Hammersly, John Bradley, Mode Griffith and Charles Stouch were elected councilmen; Peter Leitner, high constable; Jacob Heiges, collector, and Alexander Cathcart was the clerk.

ADJOURNMENT

Since there was no further business, Vice President Ryder moved to adjourn the meeting. Motion was seconded by Council Member Richardson. – Motion Carried. The meeting was adjourned at 8:20 PM.

Respectfully Submitted,

Debbi L. Beitzel, Secretary/Treasurer

cc: Borough Council Members
Mayor Snyder
Tim Knoebel
Mark Allshouse