

**DILLSBURG BOROUGH COUNCIL MEETING
AUGUST 10, 2010 – MINUTES
7:00 PM**

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 Holly Kelley, Hal Anderson, David Baldwin, Matt Fawber, John Richardson and Kathryn Zeiders. Also present were the following: Borough Engineer Tim Knoebel, Borough Solicitor Mark Allshouse, Borough Manager Karen Deibler and Borough Secretary/Treasurer Debbi Beitzel.

Mayor Henry Snyder was absent.

The following visitors were present: Tony Baker from Citizens' Hose #1, Corporal Wargo from the Carroll Township Police Department, Paul Reichart from the Patriot News, Mary Lou Bytof from the Dillsburg Banner, DAA Representative Brian Radcliffe, YCBA & CAPCOG Representative Mark Ryder, Andrea Black from the Dillsburg Library, Logan Park Authority Representative Adrian Piechowicz and Dillsburg Borough Residents Leon Zeiders and Charles McCoy.

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

Council Member Richardson requested #13B Employee Handbook and Benefits be tabled and called for an Executive Session to discuss real estate and legal issues and the meeting would need to reconvene. Council Member Richardson moved to approve the agenda as amended. Motion was seconded by Council Member Baldwin. – Motion carried.

APPROVAL of the MINUTES

July 6, 2010 Committee Meeting – Council Member Zeiders moved to approve the Committee Meeting minutes of July 6, 2010 as corrected. Motion was seconded by Council Member Richardson. – Motion carried.

July 13, 2010 Council Meeting – Council Member Zeiders moved to approve the Council Meeting minutes of July 13, 2010 as presented. Motion was seconded by Vice President Kelley. – Motion carried.

DEPARTMENT REPORTS

Police Department Report

Corporal Wargo reviewed the July 2010 Dillsburg Borough Police Report with Council. The report listed the numbers and types of offenses and traffic incidents. The report also supplied the Council with a "crimes clear rate" and a

breakdown of hours worked. The total incidents filed for the month of July were 119; for a year-to-date total of 738, which was 97 more than the same time period last year. There were five traffic accidents for the month of July; for a year-to-date total of 31. There were 20 traffic citations for the month of July; for a year-to-date total of 189.

Part I and Part II offenses for the month of July, there were 13 incidents and ten were solved; for a year-to-date total of 81 and 64 solved; with an overall clearance rate of 79%.

Council Member Fawber asked what #13 supplemental reports filed was. Corporal Wargo indicated every incident gets an initial report anything after that gets a supplemental report.

Ambulance Service Report

Traci Cook provided a written report for the month of July to Council, but wasn't present to report.

Fire Company Report

Citizens' Hose Fire Company #1 – Tony Baker arrived late; he provided a report for the month of July to Council. He indicated for the month of July there were 33 runs; eight were in Dillsburg Borough; for a year-to-date total of 49 in Dillsburg Borough and a total of 246 for all municipalities. He also presented a report with the apparatus responses, the incident types and the membership responses for July. Mr. Baker indicated there were two failed calls for the month of July. Mr. Baker stated they have been honored with more volunteers and have ordered more gear. He stated the training has been going well. He indicated on August 28th, they will be training at Coulson's garage cutting vehicles apart.

Manager Deibler asked what the incident Public Service was. Mr. Baker indicated it's when people call up DAA and the recorder states to call 911 for any emergencies. This incident was for a water leak which was over an electric line and a breaker box.

Franklintown Fire Company – A report wasn't provided and there was no one present to report.

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 July were \$102,127.76. 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 moved to approve the payment of all bills as presented. Motion was seconded by Council Member Fawber. Council Member Richardson abstained. - Motion carried.

Planning Commission Report

The Planning Commission didn't meet in July.

Dillsburg Area Authority

Brian Radcliffe reported on the July 20th meeting. He indicated there were no water or sewer connections reported.

He indicated the Board approved the dedication of the water and sewer facilities for Pheasant Ridge Phases 2 and 3.

Mr. Radcliffe stated the final surveying is being done for Autumn Woods' water and sewer facilities ready to be dedicated.

Council Member Zeiders asked what it meant to be dedicated. Mr. Radcliffe stated the developer gets a deed of dedication and then turned over to the Authority; the Authority then maintains them.

Logan Park Authority

Adrian Piechowicz stated currently they're working on a recreation trail. At the present time it's out to bid and through fundraising efforts and the support from Dillsburg Borough and Carroll Township the bid should be ready to accept on August 25th.

Council Member Anderson stated initially the trail was going around the full circle of the park and now he understood that to be revised. Mr. Piechowicz stated LPA is now going to a phase approach. The first phase will include the initial loop down by the soccer fields then back up; the second phase would include connecting the sidewalk to the loop by the barn, and the final phase to include extending the loop down to the perimeter of the property. Council Member Anderson asked if they were still planning on putting the walkway which borders the property and the neighbors by the road. Mr. Piechowicz indicated LPA had attempted to eliminate the entire section because it was redundant with the road way, but DCNR will not approve a path which isn't continuous; so therefore this path will continue to be a part of the plan. Council Member Anderson asked how they would handle the loss of parking. Mr. Piechowicz stated parking wouldn't be restricted and will still be able to park along the property line. Council Member Anderson indicated the walkway could be where the water runs into the drains. Mr. Piechowicz stated the water concerns are to be corrected. Council Member Zeiders asked if the path was to be laid this year. Mr. Piechowicz stated yes, everything should be done this year.

Library

Andrea Black stated the summer reading club is almost over and they had fewer kids signed up this year. She indicated there was no adult summer reading club this year because of budget concerns. The library will be losing another 9.1% due to the state cutting back.

She indicated they had 705 computers users in July compared to 508 in 2009.

She indicated they have 6,516 patrons and 1,568 are from the Dillsburg Borough. She stated this might result from the kids from the reading club must have their own library card.

She mentioned one book one community. This event is when all the local libraries (York, Cumberland, Lancaster, Dauphin, and Perry Counties) read the same book and do projects. This year's book is a young adult book and is War World 2 related. The event kicks off on August 25th.

Council Member Zeiders ask why the adult summer reading club was canceled due to monetary constraints. Ms. Black stated they would have had to purchase prizes to hand out and promotional materials, since they didn't receive enough donations from local business.

Council Member Anderson asked if there was a block on the computers. Ms. Black stated there is filtering set up, which is required to be in compliance with the Federal regulations. She stated the computers are being used most for job hunting and face book. Council Member Anderson asked if there was a time limit. Ms. Black indicated there is a 30 minute time limit unless there is no one waiting to use the computers; the patrons may stay on longer.

YCBA & COG

YCBA - Mark Ryder indicated the next YCBA meeting will be held at the Wellsville Fire house on September 23rd at 6:30 PM. The keynote speaker will be District Attorney Tom Kearny from York County DA's office.

COG - Mark Ryder indicated there will be no meeting in August. On September 13th, the annual picnic will be held at Sunset Golf Club in Middletown. He is able to take two quests and must register by September 8th.

Solicitor's Report

Solicitor Allshouse provided Council and Mayor with a written report for work performed in July 2010.

Solicitor Allshouse stated Stacey Ritter would be attending next month's meeting in his absence.

Vice President Kelly asked what Act 46 was. Solicitor Allshouse indicated it's the budget stating the requirements. All pending agreements between any municipality whether it be developer agreements or approved plans must be extended to July 1, 2013 automatically. In addition, it provides for a developer to contact the municipal authority and request written confirmation for approval and when the approval was to expire and when it will expire. There is a fee schedule in the act to allow the municipalities to collect fees. There is also a requirement in the act which states the municipalities have to respond in writing to any written request received. There were some questions on the law which states that each municipality or authority would have to post in the Pennsylvania Bulletin the notice of acknowledgement of the extensions. PSAB and PSATS all got together and placed one ad; which was acceptable.

Engineer's Report

Borough Engineer Tim Knoebel provided Council and Mayor with a written report for work performed in July 2010.

Tax Collector

Cristina Speicher wasn't present; but provided Council and Mayor with a report for the month of June 2010 and July 2010.

Borough Staff Report

Borough Manager Deibler provided Council and Mayor with a written report for July 2010. She stated Dale Shearer; Public Works Supervisor would be retiring on August 20, 2010.

PUBLIC COMMENT

Leon Zeiders indicated on July 29th in the afternoon, there was a car parked in front of Quay Park with "for sale" pasted on it; it stayed there until August 3rd. The phone number listed was from County Line Road. He asked the Borough Council to discuss this issue and see if there are any rules that could be enforced to prevent this from happening.

CORRESPONDENCE

There was none.

MAYOR'S REPORT

Mayor Snyder wasn't present.

PRESIDENT'S REPORT

President Griffin announced the following events: The Farmers Market continues from 7AM to noon at the parking lot at Spring House Antiques and for more information call Yvonne, at 571-2126; August 18 – The NYCRCP Transportation Amendment public meeting will be held at 6:30 PM at the high school; August 21 - Will Fisher Orchestra will be at courtyard at Dill's Tavern beginning at 7 PM. Tickets are \$15 a person and on sale at The Book House or Blossom Shop; August 30 – School begins; and September 11 – The Garden Club will present this year's garden tour, "Autumn Odyssey" from 11 AM to 4 PM. Advance tickets are \$5.00 and can be purchased at the Blossom Shop, Coffee Express, Ashcombe's, Highland Gardens and TurkeyFoot Nursery or from any garden club member. For any questions, contact Georgia Livingston at 432-7728. There will be seven local gardens on the tour.

COMITTEE REPORTS

Public Works Committee

- A. Discuss/Take Action – APS, Inc Payment for 2010 Alley Maintenance - Council Member Fawber stated in March of 2010 the Borough contracted with Asphalt Paving Systems to complete the 2010 Alley Maintenance. The contractor has completed all work associated with the contract and the work has been inspected by KPI Technology. A request for payment has

been received by the Borough in the amount of \$6,965.75 for 2533 s.y. of material. The original contract price was for 2,440 s.y. of material at a cost of \$6,710.00. The \$255.75 difference in price is due to an additional 93 s.y. of approved repairs to Quay Alley. KPI Technology recommends that Council authorize payment of \$6,965.75 at this time. Council Member Fawber moved to authorize payment in the amount of \$6,965.75 for the 2010 Alley Maintenance work be forwarded to Asphalt Paving Systems. Motion was seconded by Council Member Anderson. Council Member Zeiders asked if the additional work performed was at Quay Alley and North Baltimore St. Engineer Knoebel stated yes. Council Member Zeiders asked if he thought it was really fixed. Engineer Knoebel indicated it was a little bit better but he agreed it was still low. The low spot could only be fixed by repaving the alley; the Borough didn't want to pay the \$1,500.00 to \$2,000.00. – Motion carried.

- B. Discuss/Take Action – Womex, Inc. Payment for 2010 Street Maintenance – Council Member Fawber stated in May of 2010 the Borough contracted with Womex, Inc. to complete the 2010 Street Maintenance. The contractor has completed all work associated with the contract. A request for payment has been received by the Borough. Per the Borough's Engineer KPI Technology: The request is in the amount of \$26,172.72. The original contract price was for \$18,039.09. The following explains the requested increase in cost of \$8,133.63:

- 1) The authorized addition of two inlets to be replaced on Corvair Drive at the intersection with Impala Drive - \$4,491.93.
- 2) An additional 24 lineal feet under drain on Impala Drive which was authorized in the field to more completely drain the subsurface of the road - \$480.72.
- 3) Additional quantity (s.y.) of milling and paving as determined necessary in the field - \$103.21.
- 4) In addition, the contractor has requested payment for approximately 30 lineal feet of vertical curb at a unit cost of \$100.85 per lineal feet - \$3,048.70. Of this amount, we can only justify 10 lineal feet of 2½ feet per inlet - \$1,008.50.

This results to an additional total amount of \$6,084.36. All work was inspected in the field and verified by a KPI representative. The work is hereby considered finally complete. We recommend payment to the contractor in the amount of \$24,123.45 be authorized. We consider this to be final payment. Acceptance of this payment by the contractor is considered his acceptance of the final payment and therefore shall have no claim for additional payment.

Council Member Fawber moved to authorize final payment in the amount of \$24,123.45 for the 2010 Street Maintenance work completed by Womex, Inc. Motion was seconded by Council Member Anderson. Council Member Baldwin asked if the amount was correct or was the Borough holding bond money. Engineer Knoebel stated the amount is correct;

we're asking to authorize the payment but don't write the check until the maintenance bond is received. – Motion carried.

- C. Resolution 2010-07 – Recognizing Dale Shearer – Council Member Anderson stated as Mr. Shearer retires, Council would like to thank and recognize him. Dale faithfully and with honesty and integrity served the Borough of Dillsburg and the Residents for almost ten (10) years. Council Member Anderson moved to adopt Resolution 2010-7 recognizing Dale Shearer for his service. I would also like to thank him on behalf of Council and wish him well. Motion was seconded by Council Member Fawber. – Motion carried.

Public Safety Committee

Neither Council Member Baldwin nor Richardson had anything to report.

Administration Committee

- A. Resolution 2010-08 – Opposing Local Government Consolidation – Vice President Kelley stated HB 2431 (*Session of 2010*) would, if adopted, change the Pennsylvania Constitution and establish the county as the basic level of local government in Pennsylvania, with municipalities existing only under the jurisdiction of the county and having only those duties and responsibilities as determined by the county. SB 1357 (*Session of 2010*) would, if adopted, establish an unelected, statewide boundary commission to review and make recommendations to the General Assembly for the merger, consolidation, or annexation of municipalities. Both bills would eliminate many current townships, cities, and boroughs and would jeopardize the right of Pennsylvania's citizens to live in a society that was founded on representative democratic principles. The current form of local government allows local resident to hold local elected officials accountable and allows for a timely response to local crime, safety, fire, and codes enforcement issues. Eliminating local governments will lead to larger, more corrupt government to preside over a larger constituency of citizens and would bail out the large cities that have improperly spent their funds over the last several decades while punishing the smaller communities that have spent frugally and have strived to make intelligent fiscal decisions while spreading limited resources in a manner that would most benefit the community. We support the voluntary merger or consolidation of local governments if the process is initiated at the local level and it has the support of the majority of the residents of all affected municipalities; but, the Council of the Borough of Dillsburg opposes any measure, initiative, or plan that mandates the forced merger, consolidation or annexation of local governments. Vice President Kelley moved to adopt Resolution 2010-8 opposing any measure, initiative, or plan that mandates the forced merger, consolidation or annexation of local governments, urging the General Assembly to oppose House Bill 2431 and Senate Bill 1357, and any similar kind of legislation that has been, or may be introduced in the future

to mandate forced consolidation, merger or annexation of local governments in Pennsylvania and informing State Senator Vance, State Representative Perry, and the Pennsylvania State Association of Boroughs that the Borough of Dillsburg opposes such legislation. Motion was seconded by Council Member Zeiders. – Motion carried.

B. Discuss/Take Action – Employee Manual & Benefits – Item was tabled.

OLD BUSINESS

There was none.

NEW BUSINESS

There was none.

ADJOURNMENT

Council Member Zeiders moved to adjourn and go into the executive session at 7:46 PM. Motion was seconded by Council Member Baldwin. – Motion carried.

The regular scheduled meeting reconvened at 8:45 PM. Council Member Richardson moved for the President to appoint an Ad-Hoc Building Committee. Motion was seconded by Council Member Baldwin. – Motion carried.

President Griffin appointed Vice President Holly Kelley, Council Member John Richardson and Matt Fawber. President Griffin asked if all three would accept this position. They all stated yes.

Council Member Baldwin moved the appointed committee be approved to review potential future borough/maintenance building sites within the Borough of Dillsburg. Motion was seconded by Council Member Richardson. – Motion carried.

Since there was no further business, Council Member Baldwin moved to adjourn the regular meeting. Motion was seconded by Vice President Kelley. – Motion carried. The meeting was adjourned at 8:48 PM.

Respectfully Submitted,



Debbi L. Beitzel, Secretary/Treasurer

cc: Borough Council Members
Mayor Snyder
Tim Knoebel
Mark Allshouse