

***DILLSBURG BOROUGH COUNCIL MEETING***  
***October 9, 2007 – 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 Mark Ryder, Vice-President Jeff Griffin, Holly Kelley, David Baldwin, and Michael Whitzel. Also present were the following: Mayor Henry Snyder, Borough Solicitor Mark Allshouse, Borough Engineer Tim Knoebel, Borough Manager Karen Deibler and Borough Secretary/Treasurer Debbi Beitzel.

Council Members Richardson and Zeiders were not present.

The following visitors were present: Ed McCoy and Tony Baker from Citizens' Hose Fire Company #1, Robert McDermitt and Ted Baker from Franklinton Fire Company, Robert Watts from Citizens' Hose Company #1 EMS, Chief Jack Francis from Carroll Township Police, Mary Lou Bytof from the Dillsburg Banner, the Borough's DAA Representative Mervin Ice, Planning Commission Representative Brian Radcliffe, Steve Quigley of H. Edward Black & Associates, Dave Getz representing Winfield Development, and Dillsburg Borough Residents Stacey Ryder, Jeff Beitzel, Jim Byers, and Charles Comrey.

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

APPROVAL of the AGENDA

Council Member Baldwin moved to approve the agenda as presented. Seconded by Vice President Griffin. – Motion Carried.

APPROVAL of the MINUTES

September 11, 2007 Council Meeting – Vice President Griffin indicated on page four, third paragraph under Logan Park Authority the word “bins” should read “bids”. Council Member Whitzel indicated on page three, fifth paragraph under Fire Company Report the number 34' should read 30'. Vice President Griffin moved to approve the Council Meeting minutes of September 11, 2007 with two corrections noted. Seconded by Council Member Whitzel. – Motion Carried.

October 2, 2007 Committee Meeting – Vice President Griffin indicated on page one, item #3, next to last line should read Swatara “Township” and the pages should be numbered. Council Member Baldwin moved to approve the Committee Meeting minutes of October 2, 2007 with corrections. Seconded by Vice President Griffin. – Motion Carried.

## DEPARTMENT REPORTS

### Police Department Report

Chief Francis reviewed the September 2007 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 September were 83, year-to-date total 904, which was 59 more than the same time period last year. There were four traffic accidents for the month of September, year-to-date 40, which was five less than the same time period last year. There were 48 traffic citations for the month of September, year-to-date 221, which were 43 less than the same time period last year.

Part I offenses for the month of September, there were a total of six, which included one simple assault, one commercial burglary, and four larceny thefts, for a year-to-date total of 43, with a clearance rate of 9%. Part II offenses for the month of September, there were eight incidents, which included four criminal mischief/vandalisms, one fraud offense, and three miscellaneous, year-to-date 59 of which 33 were cleared, with a clearance rate of 55%. The overall clearance rate is 36%.

He indicated the department conducted some speed enforcement details on September 14, 2007 and during that time there were a total of 17 violations cited, which included 15 speed violations, one equipment/bumper violation and one suspended vehicle registration violation.

Chief Francis indicated a crosswalk/pedestrian check was scheduled within the next few days. He asked the Council if they wanted the date to be published. Council stated they had no preference; therefore the date was scheduled for Friday, October 12<sup>th</sup>.

President Ryder stated at the last workshop meeting there had been a discussion referencing to Grouse Road in Pheasant Ridge about putting a 25-mph speed limit sign up leaving Windy Heights from the Carroll Township side coming into the Borough.

### Ambulance Service Report

Robert Watts provided a report for the month of September to Council and Mayor. There were a total of 108 calls in the month of September and 15 of them were in Dillsburg Borough, which included 11 medical emergencies, two fire calls, and two missed calls. For year-to-date there were a total of 170 calls in the Borough of Dillsburg and a total of 980 for all municipalities. He reported on the third quarter, there were a total of 54 calls in the Dillsburg Borough which included 41 medical emergencies, four fire calls, four motor vehicle accidents, and three missed calls.

### Fire Company Report

Franklinton Community Fire Company – Vice President Ted Baker presented a report for the month of September to Council and Mayor. Mr. Ted Baker indicated for the month of September there were 24 runs; two were in Dillsburg Borough.

Citizens’ Hose Fire Company – Assistant Chief Tony Baker presented a report for the month of September to Council and Mayor. Mr. Tony Baker indicated for the month of September there were 22 runs, for a year-to-date total of 284; six were in Dillsburg

Borough, for a year-to-date of 64, of which two were medical assists, one structure fire, two miscellaneous, and one automatic fire alarm. He also presented a report with the membership responses, ranking for September and year-to-date totals.

He indicated Fire Prevention Week is coming up and they have several events scheduled. He stated they would be taking the Safety House to Little Dreams, Fileys' and have also been requested to take the safety house to a day care in Upper Allen. They will also be holding a fire drill at the Dillsburg Elementary School for the whole school and the second grade class came to the fire house for a tour of the safety house.

Mr. Tony Baked indicated the year-to-date figure received for the Fund Drive was \$6,232.00 which is \$8-10K behind last year at this time.

He indicated the knox boxes have been fully installed and all five pieces of apparatus would be going on-line with York County.

Manager Deibler asked what the two miscellaneous calls were in the Borough and what LZ in Carroll Township was. Mr. Tony Baker indicated he didn't know what they were but would research it and LZ was Landing Zone.

#### 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 September would be \$78,555.21. The Profit & Loss Budget vs. Actual Detail Report and a Cash Flow Report were also given to each Council Member and Mayor. Council Member Baldwin moved to approve the payment of all Unpaid Bills as presented. Seconded by Vice President Griffin. – Motion Carried.

#### Planning Commission Report

Vice Chairman Brian Radcliffe reported on the September 26, 2007 meeting. He indicated the primary item was the review of the Winfield Development and discussed with the developer some issues prior to the meeting. Mr. Radcliffe stated basically because of the plan that was presented and dependent upon waivers that were previously denied, the Planning Commission couldn't take official action on the plan, so therefore the plan was tabled until the following month.

He indicated the other item was the Planning Commission recommended approval of the review time extension requested by the developer.

#### Logan Park Authority

Vice President Griffin reported on Logan Park's monthly meeting held on September 19, 2007.

He indicated new locks on the water and electrical box were replaced and installed using the old combinations.

He indicated the contract for building the barn was awarded.

Vice President Griffin stated LPA marked where the trees were to be planted within the park.

He also indicated two members went to Haar's drive-in to inspect the playground equipment and found that it didn't meet the standards in order to be placed in the park.

He also stated one half of the amphitheater grass was growing and the other half would be planted.

Dillsburg Area Authority

Mr. Mervin Ice indicated ECI's plans for a new building had some issues with sewer which have been resolved and approved.

He indicated a group of teachers are planning to make some virtual field trip type videos of the waste water plant.

He indicated the geologist stated the tests looked good however someone in the Susquehanna River Basin Commission didn't like the test results and suggested DAA retest water well #7, which is located in Carroll Township along the Yellow Breeches Creek. They retested the well and the Susquehanna River Basin Commission had approved the well.

He also indicated the wrenches for Monaghan and Franklinton Fire Companies had been approved to purchase.

Engineer's Report

Borough Engineer Tom Knoebel provided Council and Mayor with a written report for September 2007 work performed; predominantly with the review of developments, namely Autumn Woods, Winfield, and Chestnut Hollow, reviewed several grading plans with individual homes in Chestnut Hollow and Pheasant Ridge and did some work on the 5-year street plan.

Solicitor's Report

Solicitor Allshouse indicated the month of September was a sparse month. He stated the hi-lights were review of the land and subdivisions for Winfield and ECI, litigation dealing with finalizing the Northern York Regional settlement and some legal and other issues with the Borough Manager regarding the fire tax, appointment of a new Zoning Hearing Board solicitor, revitalization funding project questions, and storm sewer issues.

Tax Collector

Cristina Speicher wasn't present to give an oral report but provided Council and Mayor 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

President Ryder indicated at the last COG meeting the salt bids were opened and awarded to International Salt.

He stated he attended the York County Borough Association (YCBA) third quarter dinner meeting in Wrightsville on September 27, 2007 and had the election of officers. The banquet would be held on November 10<sup>th</sup> at the York Expo Center and had requested names of anyone who had served on the Council for 10, 15, 20, etc. years.

He reminded everyone that Farmers' Fair begins next Tuesday night, October 16<sup>th</sup> and Mayor Snyder would be at the Community Hall at 6 PM to open the fair and he and the mayor would be participating in the parade on both Friday and Saturday nights asked everyone to cooperate with the officials, Fire Police and Police Department.

President Ryder reminded everyone that Trick-or-Treat Night would be held on Wednesday, October 31<sup>st</sup> from 6-8 PM and encouraged residents to have their porch lights on and to drive carefully.

President Ryder announced leaf pick-up would be coming up and will advertise in the Banner, the Cable Channel #96 and the Borough website of those dates.

He also indicated the workshop meeting would be held on Wednesday, November 7, 2007, beginning at 6:00 PM (location place undetermined at this time) with Public Comments regarding the fire tax and the meeting would begin at 6:30 PM.

He indicated the November Council meeting held at the Dillsburg Area Authority Building has been changed to Monday, November 12<sup>th</sup> at 7 PM.

## COMITTEE REPORTS

### Public Works Committee

- A. Discuss/Take Action – Pheasant Ridge Lot 89 Waiver Request - Council Member Whitzel stated during KPI's review of the Grading Plan for Lot 89 of Pheasant Ridge, it became evident that it would be difficult to meet the Borough's ordinance standards for driveway slope. Specifically the Dillsburg Borough Code, Chapter 22, Section 506.7.A(7) which states in part that for driveways, the slope shall not exceed 7% within 12 feet of the street right-of-way. The owner was in agreement that in this situation it is not possible to meet the requirements of the ordinance. The owner of the lot, Mr. Jim Prior, has contacted the Borough and requested a waiver to this requirement be granted. The engineer will require the owner to provide the least slope possible during review of the grading plan. Council Member Whitzel moved to approve Mr. Prior's request to waive the requirement, per Dillsburg Borough's Code, Chapter 22, Section 506.7.A(7) and allow a slope greater than 7% as reviewed by the engineer. Seconded by Vice President Griffin. – Motion Carried.

- B. Discuss/Take Action – Winfield Land Development Waiver Requests – Council Member Whitzel stated at the July 2007 Planning Commission meeting it was decided that the Winfield Land Development Waiver Requests should be reviewed and voted on by Borough Council before any further review of the plan occurs. At the August 2007 Council meeting all requested waivers, including a waiver allowing “slanted” curbs on private streets, were approved except the waiver for Chapter 22, Section 502.1.a.6 - Private Streets (streets not to be offered for dedication) are prohibited. The Borough received a revised waiver request from Vernon Sealoover, the Winfield Developer, asking the Council to allow the use of ROLLED curbs, in lieu of the previously approved SLANT curbs, only on the private access drives. Because of the close proximity of the driveways to each other, the use of rolled curbs provided the curb line with a straight smooth appearance while avoiding multiple curb cuts and small lengths of full curb that may be hazardous to drivers and pedestrians. The catch basin in the rolled curb is integral with the curb. Mr. Steve Quigley representing Vernon Sealoover stated the reason for this revision to the waiver was the Planning Commission requested to go with rolled curbs in lieu of slant curbs and had no issues with this request. Council Member Whitzel clarified the catch basin would be the drain on top and Mr. Quigley agreed. Council Member Whitzel moved to approve Winfield’s request to revise the previously granted waiver from SLANT curbs to ROLLED curbs. Seconded by Council Member Baldwin. – Motion Carried. Council Member Whitzel also stated Vernon Sealoover contacted the Borough and requested the Council review and reconsiders the use of private streets in the Winfield project. Council has agreed. The requested waiver is as follows: Chapter 22, Section 502.1.a.6 (SALDO) Private Streets not to be offered for dedication are prohibited. A waiver is requested to allow private access drives within the development. None of these access drives shall be used as through-roads. These access drives shall be maintained by the Condominium Association (Homeowners Association). Council Member Whitzel moved to approve Winfield’s request to waive the requirement, per Borough Code, Chapter 22, Section 502.1.a.6 - Private Streets (streets not to be offered for dedication) are prohibited. Seconded by Council Member Baldwin. Council Member Whitzel asked if the roads would be done to meet Borough code road specs. Engineer Knoebel indicated all the stones, paving material, depths, and thicknesses would meet the Borough’s requirements. Vice Chairman Radcliffe stated he had an understanding there was a condition that there would be no parking on the private streets and that Carroll Township Police would be enforcing this matter. President Ryder indicated this would be part of the Homeowners Association Agreement (HOA) process. – Motion Carried.
- C. Discuss/Take Action – Winfield Land Development Time Extension - Council Member Whitzel stated the developer of the Winfield Subdivision submitted a Preliminary Land Development plan and a Final Phase 1 Land Development plan to the Dillsburg Planning Commission in July 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 a time extension be granted in order for this situation to be resolved before further action is taken. Council Member Whitzel moved to grant a Time Extension until January 9, 2008 for the Winfield Preliminary Land Development Plans and the Final Phase 1 Land Development Plan. Seconded by Vice President Griffin. – Council Member Whitzel asked if the 9<sup>th</sup> would run into the workshop meeting. Council Member Baldwin indicated it would be the day after the first Council meeting of the year 2008. - Motion Carried.

#### Public Safety Committee

Council Member Baldwin had nothing to report.

#### Administration Committee

Council Member Kelley and Vice President Griffin had nothing to report.

#### OLD BUSINESS

Council Member Whitzel requested information from the Borough Manager regarding the fire tax for the meeting, which includes the number of rentals properties, commercial properties and homeowners. He also requested for all and any records of comments from phone calls the Borough Office might receive from residents regarding the fire tax, such as name and the reason they called.

#### NEW BUSINESS

Council Member Whitzel indicated in regards to the House Bill #1133, Council, Mayor, Borough Solicitor and Borough Manager have received PSAB's position on the bill. Mayor Snyder asked in regards to the fire tax to update him on the advertising of this issue and where would it be advertised. Manager Deibler indicated advertising is always done in the Dillsburg Banner, on the website and on the cable channel. Mr. Charles Comrey asked why the Borough doesn't advertise in the Harrisburg Patriot News. Solicitor Allshouse indicated its \$150.00 an ad. President Ryder stated to save tax payers money. Solicitor Allshouse indicated the law requires only need to advertise in an area of general circulation and advertising in the Banner meets the requirement and is cheaper. Council Member Baldwin stated they don't yet allow you to advertise in free papers. Manager Deibler and Solicitor Allshouse indicated they are working on this. Mayor Snyder indicated regardless of the expense it should be advertised in the Patriot-News because this is the paper that most people read. Discussion. Council Member Kelley indicated since we are asking people to considered how the fire tax would affect their income we need to advertise in both papers. Solicitor Allshouse stated a motion to the board would have to be considered. Council Member Kelley moved to advertise the fire tax public meeting in the York Paper, Harrisburg Patriot News and the Dillsburg Banner. Seconded by Vice President Griffin. Manager Deibler asked if the Council wanted it advertised in the Carlisle Sentinel and how many times should it be advertised.

She also stated the cost to advertise three times in each of the papers would be approximately \$1,000.00. Council Member Whitzel asked why the Borough is advertising the issue three times in the Banner. Manager Deibler indicated that if someone missed it the first week, they would see it another week and tax ordinances need to be advertised more even though this is only a discussion. President Ryder indicated there was no need to advertise in the Sentinel. Vice President Griffin asked if Lara Brenkle could advertise in the Pickle Barrel section of the Patriot News. Discussion among the members. Council Member Kelley and Vice President Griffin both withdrew their previous motions. More discussion among the members. Council Member Kelley moved to advertise the fire tax public meeting in the Harrisburg Patriot News (1 time) and the Dillsburg Banner (3 times). Seconded by Vice President Griffin. – Motion Carried.

#### ADJOURNMENT

Since there was no further business, Council Member Baldwin moved to adjourn the meeting. Seconded by Vice President Griffin. – Motion Carried. The meeting was adjourned at 7:54 PM.

Respectfully Submitted,

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Debbi L. Beitzel, Secretary/Treasurer

cc: Borough Council Members  
Mayor Snyder  
Tim Knoebel  
Mark Allshouse