

**DILLSBURG BOROUGH COUNCIL MEETING
OCTOBER 12, 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, Hal Anderson, David Baldwin, John Richardson and Matt Fawber. Also present were the following: Mayor Henry Snyder, Borough Engineer Mike Begis, Solicitor Mark Allshouse and Borough Manager Karen Deibler.

Vice President Holly Kelley, Council Member Kathryn Zeiders and Borough Secretary/Treasurer Debbi Beitzel were absent.

The following visitors were present: Tony Baker from Citizens' Hose #1, Chief Jack Francis from the Carroll Township Police Department, Paul Reichart from the Patriot News, Mary Lou Bytof from the Dillsburg Banner, Beth Nidam from York County Planning Commission and Dillsburg Borough Resident Catherine Nester.

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 Anderson requested item #11B ADA Pedestrian Ramp Bids be added to the agenda. Council Member Richardson moved to approve the agenda as amended. Motion was seconded by Council Member Baldwin. – Motion carried.

APPROVAL of the MINUTES

September 7, 2010 Committee Meeting – Council Member Baldwin moved to approve the Committee Meeting minutes of September 7, 2010 as presented. Motion was seconded by Council Member Richardson. – Motion carried.

September 14, 2010 Council Meeting – Council Member Anderson moved to approve the Council Meeting minutes of September 14, 2010 as presented. Motion was seconded by Council Member Fawber. – Motion carried.

DEPARTMENT REPORTS

Police Department Report

Chief Francis reviewed the September 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 with a "crimes clear rate" and a breakdown of hours worked. The total incidents filed for the month of September were 113, which were 22 more than the same time period last year; for a year-to-date total of 948, which were 99 more than the same time period last year. There were 13 traffic accidents for the month of September, which were six more than the same time period last year; for a year-to-date total of 49, which were three less than

the same time period last year. There were 23 traffic citations for the month of September; for a year-to date of 225.

Part I offenses for the month of September there was one larceny theft for a year-to-date total of 20; with a clearance rate of 55%.

Part II offenses for the month of September, there were six incidents, which included two criminal mischief/vandalisms, one disorderly misconduct, one DUI, and two miscellaneous, which four were cleared by an arrest; for a clearance rate of 83%. The overall clearance rate is 83%.

Chief Francis reminded all that this was his final report and would be retiring on October 29, 2010. He thanked the Borough, Council and the citizens for welcoming him into the community nine years ago. He stated on Tuesday, October 26th there will be a reception at the Carroll Township Building and all are invited.

Ambulance Service Report

A report wasn't provided and there was no one present to report.

Fire Company Report

Citizens' Hose Fire Company #1 – Council President Griffin congratulated Mr. Baker on his recent marriage. Tony Baker provided a report for the month of September 2010 to Council and Mayor. He indicated for the month of September there were 37 runs; seven were in Dillsburg Borough; for a year-to-date total of 64 in Dillsburg Borough and a total of 326 for all municipalities. He also presented a report with the apparatus responses, the incident types and the membership responses for September. Mr. Baker indicated there were two failed calls for the month of September. He indicated the Hazmat incident on Route 15 North was a tractor trailer which hit a road sign and lacerated the diesel tank and pulled into Lefever's parking lot. He stated all the appropriate entities were called in and the Hazmat team was activated and the cleanup crew responded. The Dillsburg Borough and Carroll Township's road crews were notified.

Mr. Baker stated the MOD classes are working very nicely and should finish up by the middle of November. There are seven members that will be going to York to begin a new class with the new people they received in.

Mr. Baker indicated the ladder truck will be out of service throughout Farmers' Fair in order to get all the preventive maintenance done to it.

Council Member Anderson asked who was backing up for Citizens' Hose for Farmers' Fair weekend. He stated Upper Allen.

He indicated the renovations to the building have been going well with the painting and the upgrade to the lights.

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 September were \$79,257.14. 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 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 September 2010.

Dillsburg Area Authority

There was no one present to report. Mr. Radcliffe had a personal emergency.

YCBA & COG

YCBA - Mark Ryder wasn't present to report.

COG - Mark Ryder wasn't present to report.

Solicitor's Report

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

Engineer's Report

Borough Engineer Mike Begis provided Council and Mayor with a written report for work performed in September 2010. He stated he attended the bid openings for the ADA Pedestrian Improvements Contract last week and has provided the Borough with the information which is on the agenda tonight. He stated he will answer any questions on the contract at that time.

Tax Collector

Cristina Speicher wasn't present and no report was provided.

Borough Staff Report

Borough Manager Deibler provided Council and Mayor with a written report for September 2010 and had nothing to add.

PUBLIC COMMENT

Catherine Nester, 11 E Welty Ave, asked Council if she could be eliminated from having to purchase the trash bags since she doesn't have any garbage to put into them. Her kids come to visit her every other day and if there is any trash they take it with them. Solicitor Allshouse stated under the current ordinance the Borough has the ability, as with any ordinance, to decide how to enforce the ordinance. He indicated by changing the enforcement provisions for one individual the Borough isn't necessarily creating a precedent for every person; however if the Borough is going to change the enforcement provisions a policy will need to be created so that it can be evenly applied. Council Member Richardson indicated with the contract which is currently in place with Penn Waste; this is actually Penn Waste's decision. President Griffin stated it was an agreement between the hauler and the resident. Council Member Richardson indicated the Borough has an agreement with the hauler that they collect every resident with trash. Solicitor Allshouse indicated Council could create an exception for a vacant home because there isn't any trash being generated. Council Member Anderson suggested Council should discuss the ordinance at a future meeting. He stated it doesn't make sense for a resident to pay

for bags that aren't going to be used. Solicitor Allshouse recommended Council to re-review the contract with Penn Waste; in order to look at the exact language Penn Waste is using for the requirement of purchasing the trash bags. Mrs. Nester asked if she should pay the Penn Waste bill. Council Member Richardson stated yes. Mayor Snyder stated about six months ago a resident came in and requested not to pay for six months out of the year due to being in Florida those six months; which Council granted the request. President Griffin suggested Solicitor Allshouse review the agreement the Borough has with the trash hauler.

CORRESPONDENCE

There was none.

MAYOR'S REPORT

Mayor Snyder stated he attended the YCBA meeting last month in Wellsville along with some other Council Members.

PRESIDENT'S REPORT

President Griffin announced the following events: Farmers' Fair has started with the Queen Contest on Monday and tonight was the opening of the Community Hall and the Senior King and Queen. He indicated there were some Dill Pickles available on the table by the door; October 25 - A Commercial and Residential Emergency Generators Role in Power Outages and Disaster meeting at 7 pm at the Carroll Township Building. Come and listen to two generator specialists and electrician share their information on this vital piece of equipment. There is no charge for this program; October 28 - Trick-or-Treat Night in the Borough from 6-8 pm; November 2 - Election Day, the polls will be open from 7 am to 8 pm at the Senior Center and are voting for Governor, Lt. Governor, US Senator, US Congressmen and State Representative; November 3 - Cool Pools-South Mountain's Vanishing Treasures. This is free vernal pond power point presentation by Nature Conservancy Volunteer Shirley Stark from 7-8 pm at the Dillsburg Area Public Library. For more information, call the Nature Conservancy at 1-866-298-1267; November 5 - First Fridays at Dills Tavern from 7-10 pm. BYOB, over 21 event; November 6 - Zumba Fitness from 10 am to 12 pm, doors open at 9:30 am at the Community Hall. Registration Fee: \$10 (class only) or \$20 (Class plus tank top). Register early, space is limited. Contact Joyell for more information or to register at 717-571-8180; the Borough will begin leaf pick up on October 25 and again on November 8; for additional pickup dates check the website and the Banner.

President Griffin wished everyone a safe and happy Farmers' Fair weekend.

COMITTEE REPORTS

Public Works Committee

- A. Discuss/Take Action Resolution 2010-10 - Zoning Officer - Council Member Anderson stated Dillsburg Borough's Zoning Officer has the authority and responsibility for implementing and enforcing zoning ordinances and zoning codes of the Borough of Dillsburg. With the resignation of former Public Works Supervisor, Dale Shearer, the position is now vacant. Council Member Anderson moved to adopt Resolution 2010-10 appointing the Public Works

Supervisor as the Zoning Officer for the Borough of Dillsburg. Motion was seconded by Council Member Fawber. – Motion carried.

- B. Discuss/Take Action – ADA Pedestrian Ramp Bids – Council Member Fawber stated the Borough received a grant through York County Planning Commission for the installation of ADA Pedestrian Ramps throughout the Borough. A bid document was produced and advertised in the York area newspapers. Bid opening was October 7, 2010 at the York County Planning Commission Office. Three bids were received and opened at that time. Bids were received from Doug Lamb Construction, Inc. with a base bid of \$29,950.00, from A. Restuccua, Inc. with a base bid of \$30,500.00 and from Rogele, Inc. with a base bid of \$58,469.00. All bids have been reviewed by the Borough Engineers of KPI Technology and Solicitor Allshouse will review all bonding information. Council Member Fawber moved to accept the bid received from Doug Lamb Construction, Inc. in the amount of \$29,950.00, subject to review of the bonding and insurance, and authorized the manager to sign the contract. Motion was seconded by Council Member Anderson. Council Member Richardson asked if the unit price was for additional work. Engineer Begis states if it's required. – Motion carried.

Public Safety Committee

- A. Discuss/Take Action – Resolution 2010-11 – Animal Control Officer and Shelter - Council Member Richardson stated as Council Members are aware, the Borough of Dillsburg must provide for animal control services to ensure the safety, health and welfare of its residents and must also provide for the shelter and care of stray and/or injured or abused animals in the Borough. Council Member Richardson moved to adopt Resolution 2010-11 appointing Tim Kohler, of Kohler Animal Control Services located in Manchester, PA, as the Animal Control Officer and the SPCA of York County, located in York, PA, as the Animal Shelter for the Borough of Dillsburg in 2011. Motion was seconded by Council Member Baldwin. – Motion carried.
- B. Discuss/Take Action – Resolution 2010-12 – Northern York County Regional Comprehensive Plan Transportation Amendment – Council Member Baldwin stated Dillsburg Borough Council authorized the participation of Dillsburg Borough in the Northern York County Region Transportation Amendment Development Committee (the Committee). Representatives of the participating municipalities, together with the York County Planning Commission, formed the Committee. The Committee's goal was to develop a more current and in-depth analysis of the Transportation element of the Comprehensive Plan by using various traffic studies, proposed development data, growth trends and other data and work together to develop and coordinate completion of an appropriate amendment. Once accomplished, the Committee held public meetings and briefed the municipal elected officials on the proposed amendments and voted to forward the proposed amendments to the governing bodies of the participating municipalities. A joint public meeting was held by the participating municipalities on September 29, 2010, at the Northern High School to review public comments on the proposed amendment. After reviewing the amendment and public

comments, the Dillsburg Borough Council wishes to adopt the proposed October 2010 Northern York County Region Comprehensive Plan Transportation Amendment Plan and to otherwise ratify and restate the 2004 Plan. Council Member Baldwin moved to adopt Resolution 2010-12 adopting and amending the Northern York County Region Comprehensive Plan. Motion was seconded by Council Member Richardson. – Motion carried.

- C. Discuss/Take Action – Carroll Township Police Contract – Council Member Richardson stated Carroll Township presented Dillsburg Borough Council with a proposed 3-year Police Contract for the years 2011, 2012 and 2013. The number of hours contracted for will stay at 57 hrs/wk throughout the contract. There will be a 4% cost increase the first year, a 3.58% increase the second year and a 4% increase for the third and final year of the contract. Council Member Richardson moved to accept the terms of the proposed 2011-2013 Police Services Agreement with Carroll Township Police. Motion was seconded by Council Member Baldwin. – Motion carried.

Administration Committee

- A. Discuss/Take Action – Ordinance 2010-3 – Authorizing the Execution of a Cable Franchise Agreement between the Borough and Comcast – Council Member Baldwin stated the Borough of Dillsburg has determined that the public interest would be served by granting a non-exclusive cable franchise to Comcast to better serve our residents with new technology, high speed internet service and improved channel selection. Council Member Baldwin moved to adopt Ordinance 2010-3 Authorizing the Execution of a Cable Franchise Agreement between the Borough and Comcast. Motion was seconded by Council Member Richardson. – Motion carried.
- B. Discuss/ Take Action – 2011 Proposed Budget – Council Member Fawber stated the 2011 Proposed Budget has been prepared and was reviewed by Council at their recent Committee Meeting. The Proposed Budget consists of Total Estimated Revenues of \$790,075.00 and Total Estimated Expenses of \$830,015.00. Expenses include contributions of \$21,070.00, street light fees of \$38,000.00, traffic signal charges of \$11,900.00 and \$328,360.00 in expenses for Public Safety. Revenues will decrease because of Act # 32 of 2008 passed by the Pennsylvania Legislature. This Proposed Budget will not create a necessity for a real estate or occupational assessment tax increase. The 2011 Proposed Budget will be placed on public display from now until the November 9, 2010 Council Meeting at which time formal action by Council will be taken. Council Member Fawber moved that the 2011 Proposed Budget be approved and adopted as presented, and that any revisions be prepared for the 2011 Final Budget, to be adopted at the November 9, 2010 meeting of Borough Council. Motion was seconded by Council Member Anderson. – Motion carried.

OLD BUSINESS

There was none.

NEW BUSINESS

There was none.

ADJOURNMENT

Since there was no further business, Council Member Richardson moved to adjourn the regular meeting. Motion was seconded by Council Member Baldwin. – Motion carried. The meeting was adjourned at 7:40 PM.

Respectfully Submitted,

Debbi L. Beitzel

Debbi L. Beitzel, Secretary/Treasurer

cc: Borough Council Members
Mayor Snyder
Tim Knoebel
Mark Allshouse