

DILLSBURG BOROUGH COUNCIL MEETING
OCTOBER 13, 2009 – 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 Mark Ryder, Hal Anderson, David Baldwin, Holly Kelley, John Richardson and Kathryn Zeiders. Also present were the following: Mayor Henry Snyder, Borough Engineer Tim Knoebel, Borough Solicitor Mark Allshouse, and Borough Secretary/Treasurer Debbi Beitzel.

Borough Manager Karen Deibler wasn't present.

The following visitors were present: Tony Baker from Citizens' Hose Fire Company, Chief Jack Francis from Carroll Township Police, Paul Reichart from the Patriot News, Mary Lou Bytof and Curt Werner from the Dillsburg Banner, Dillsburg Area Authority Representative Brian Radcliffe, Planning Commission Representatives Allen Reeves and Leon Zeiders, Matthew Hearn from Akens Engineering, Visitor Bob Seltzer and Dillsburg Borough Residents Fred Smith, Michael and Jill Whitzel.

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

Vice President Ryder requested under Administration, item 13E be added to the agenda – Resolution 2009-3, Recognition of Michael Whitzel. Council Member Richardson moved to approve the agenda with one addition. Motion was seconded by Vice President Ryder. – Motion carried.

APPROVAL of the MINUTES

September 1, 2009 Committee Meeting – Council Member Zeiders indicated on page four, fourth paragraph, second line, the sentence “He will be able to attend the September 9, 2009 meeting, the date should be September 8, 2009. Council Member Zeiders moved to approve the Committee Meeting minutes of September 1, 2009 with one correction noted. Motion was seconded by Council Member Baldwin. – Motion carried.

September 8, 2009 Public Meeting – President Griffin indicated on page three, first paragraph, Mr. Lynch’s name should be spelled Mr. Lynch. Council Member Zeiders moved to approve the Public Meeting minutes of September 8, 2009 with one correction noted. Motion was seconded by Council Member Richardson. – Motion carried.

September 8, 2009 Council Meeting – Council Member Zeiders indicated on page three, first paragraph, the 4-2 vote should read four in favor and two abstentions and on page four, under the Mayor’s Report, the work “whast” should be spelled “what”. Council Member Zeiders moved to approve the Council Meeting minutes of September 8, 2009 with corrections noted. Motion was seconded by Council Member Kelley. – Motion carried.

DEPARTMENT REPORTS

Police Department Report

Chief Jack Francis reviewed the September 2009 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 91; which was 36 less than the same time period last year; year-to-date total was 849, which are 149 less than the same time period last year. There were seven traffic accidents for the month of September, four were reportable and three were non-reportable; year-to-date total was 52, which is five more than the same time period last year. There were 36 traffic citations for the month of September; year-to-date total was 357, which are 77 greater than the same time period last year.

Part I offenses for the month of September, there were a total of five, which included four larceny thefts and one motor vehicle theft; year-to-date was 37, which twelve of them were cleared by an arrest, with a clearance rate of 32%.

Part II offenses for the month of September, there were nine incidents, which included one criminal mischief/vandalism and eight miscellaneous; year-to-date was 78, which 68 were cleared by an arrest for a clearance rate of 87%. The overall clearance rate is 69%.

Chief Francis stated they are prepared and ready for Farmers’ Fair.

Mayor Hank Snyder indicated he has some concerns with the traffic and excessive speeding on East Welty Avenue and other side streets. He stated Mr. Bob Seltzer and Mr. Fred Smith, Jr. contacted him regarding this matter. Fred Smith, 12 East Welty Avenue, stated over the last couple years he has witnessed excessive speeding and calculated the

speed the vehicles are traveling. Chief Francis asked what the estimated speed was being calculated at. Mr. Smith stated 50 mph. Mr. Smith stated on two different occasions, he had witnessed cars passing each other side-by-side. Mr. Bob Seltzer stated he was reported on behalf of his son who lives on Greenbrier Lane. He stated he had the same concern regarding the excessive speeding happening on Greenbrier Lane. He also referenced to the speeding on Mountain Road in Carroll Township. He asked if the police department would consider speed timing devices. Chief Francis stated the devices are effective. He indicated they need to get to the neighborhoods where there is a complaint and spend some time enforcing the traffic and speed codes. Chief Francis took the two gentlemen's information and stated he will assign an officer to deal with this specific problem and have them be in contact with the two gentlemen directly involved.

Ambulance Service Report

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

Fire Company Report

Citizens' Hose Fire Company – Tony Baker presented a report for the month of September to Council and Mayor. Mr. Baker indicated for the month of September there were 29 runs; five were in Dillsburg Borough, which included two motor vehicle accidents, one medical assist, one police assist, one outside investigation and one failed call, for a year-to-date total of 48 in the Dillsburg Borough and a total of 283 for all municipalities. He reported there were four failed calls for the month of September; for a total of 36 for the year. He also presented a report with the membership responses for September.

He stated they finished up their last fire prevention project.

Mr. Baker stated the Dillsburg Area Kiwanis financially assisted Citizens' Hose in order for them to purchase an official "Sparky, the Dog" costume.

He indicated their website is up and running and the address is "dillsburgfire.com". He stated flyers would be handed out during Farmers' Fair to help promote the department and the website.

He indicated the apparatus crews are assigned and ready for Farmers' Fair.

Mayor Snyder stated the majority of the calls are still happening in Carroll Township. Mr. Baker indicated this puts the fire department between a rock and a hard spot. He indicated the chiefs are all working together and some conversations with the township. He stated it's premature but as the fire companies come together and build the cornerstone; it

will be easier to talk to Carroll Township and inform them it's time to pick up their share. Mr. Baker stated the fire department appreciates the Borough's financial efforts.

Franklinton Fire Company – No one was 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 \$75,392.95. 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 AFLAC payment. Secretary/Treasurer Beitzel indicated the employees paid for the services through a payroll deduction. President Griffin asked if the Borough was reimbursed for the payment made to Timothy Kohler. Secretary/Treasurer Beitzel stated no, because the owner of the animal was unknown. Council Member Richardson moved to approve the payment of all Unpaid Bills as presented. Motion was seconded by Council Member Baldwin. - Motion carried.

Planning Commission Report

Allen Reeves indicated for the previous five months the Planning Commission hasn't met. He indicated they will be discussing the Meadows Edge Final Subdivision Plan Phase 1 this month.

Logan Park Authority

Council Member Kelley indicated LPA continues to work on the walking path. She also indicated LPA is working on the mowing contract for 2010.

She stated the LPA meeting for October will be held at the Tavern at 6:30 PM; there will be refreshments and socializing at 7 PM.

Dillsburg Area Authority

Brian Radcliffe reported on the September 15th meeting. He indicated there wasn't any activity in the Borough.

He indicated the Monroe Township and Berkshire Hills projects are coming to completion.

Mr. Radcliffe stated the engineer from the Meadows Edge Development has requested the DAA engineers to assist them in preparation of their sewer and water feasibility studies for the development. Mr. Radcliffe indicated the board approved CET to

assist in their planning providing the developer supply an escrow in the amount of \$5,000.00. He also stated DAA instructed CET to advise the developer getting the assistance from them doesn't constitute a relationship with DAA for the development regarding their reserved capacity.

Mr. Radcliffe stated last month he talked regarding the revised project for the plant upgrade and the board approved submitting the commitment to the Commonwealth Financing Agency for the grant monies which were allocated for the alternate water facility upgrade. He indicated the project will enable them to meet the 2012 revised cap loads. He stated all the improvements will be completely reusable with future upgrades

Engineer's Report

Borough Engineer Tim Knoebel provided Council and Mayor with a written report for work performed in September 2009. He stated over the last previous months their work primarily dealt with reviewing agreements and plans for the Chestnut Hollow Development; which is on the agenda this evening.

He stated they reviewed some issues related to eci and their properties and did various inspections for the Borough.

Solicitor's Report

Solicitor Allshouse provided Council and Mayor with a written report for work performed in September 2009. He stated he reviewed some of the same issues the Borough Engineer mentioned along with handling some issues and questions from the Borough Manager.

Tax Collector

Cristina Speicher wasn't present but provided Council and Mayor with written reports for August 2009 and September 2009.

Borough Staff Report

Borough Manager Deibler wasn't present but provided Council and Mayor with a written report for September 2009.

PUBLIC COMMENT

There was none.

CORRESPONDENCE

There was none.

MAYOR'S REPORT

Mayor Snyder had nothing to report.

PRESIDENT'S REPORT

President Griffin reminded everyone that Farmers' Fair officially started this evening at 6:15 pm with the opening remarks. He asked everyone to support the Fair Association and attend as many of the events as possible. He stated there were Dill Pickles on the press table for anyone to pick up.

He announced the following: Farmers' Fair reminder that furniture, rope, tape barricades, etc may not be placed in a way that prevents or hinders general public access to the sidewalk, curb and/or street areas which are within the Borough or Penn DOT right-of-way until after the street closing begins on Friday, October 16, 2009. Improperly placed items will be removed.

He announced the following events: October 29 – Trick-or-Treat in the Borough from 6-8 pm; November 3 – Election Day, the polls will be open from 7am – 8 pm at the Dillsburg Senior Center; November 6 - First Friday at Dill's Tavern; and November 29 - The House Tour, please watch the Banner, the Dillsburg Borough cable channel and website for additional information.

COMITTEE REPORTS

Public Works Committee

- A. Discuss/Take Action – Chestnut Hollow Final Phase 2 Subdivision and Land Development Plan - Vice President Ryder stated the Final Subdivision & Land Development Plan for Chestnut Hollow Phase 2 was submitted to the Dillsburg Borough Council for review and action. The Borough Planning Commission reviewed the Plan and recommended approval with the conditions as outlined in the memorandum from Borough Engineer Timothy R. Knoebel, P.E. of KPI Technology dated August 28, 2009 (copy attached). The developer has performed work on the swale in Phase 1 as requested, but did not contact the Borough Engineer to oversee this work. Therefore, the swale restoration is still subject to the approval of the Borough Engineer. Additionally the Borough continues to hold

bonding for work in Phase 1. Engineer Knoebel indicated there was some issues regarding portion of the drainage swale within Phase 1 which need corrected as part of Phase 2. Since the developer will be getting the plans approved for Phase 2 and then attempt to sell the development, KPI wanted to have this work completed now as opposed to later. KPI instructed the developer to grade a portion of the swale within Phase 1; which was completed. Engineer Knoebel indicated they weren't present at the time while the work was being done. Engineer Knoebel stated they would like it to still be a part of the conditions because he is unsure it will work or not until there is some rainfall. He stated they will continue to watch how it functions. Vice President Ryder moved to approve the Final Subdivision & Land development Plan for Chestnut Hollow Phase 2 subject to the conditions as outlined in the memorandum from Borough Engineer Timothy R. Knoebel, P.E. of KPI Technology dated August 28, 2009, including Borough Engineer approval of the swale restoration work. Dillsburg Borough Council will sign the plan after all conditions have been met. Motion was seconded by Council Member Anderson. – Motion carried.

Vice President Ryder thanked Dale and Barry for all their hard work preparing the streets for the Farmers' Fair event.

Public Safety Committee

- A. Discuss/Take Action – 2010 Carroll Township Police Contract – Council Member Baldwin stated after much discussion and deliberation with Carroll Township and Dillsburg Borough, we have come to an agreement to continue having Carroll Township Police provide police service to Dillsburg Borough. All terms of the current contract with the number of hours remaining the same with 57 per week. The cost for 2010 will be \$220,000.00 for the year. Council Member Baldwin moved to approve the police service agreement with Carroll Township Police for the year 2010. Motion was seconded by Council Member Richardson. – Motion carried. Vice President Ryder thanked Council Members Baldwin and Richardson for getting this completed in a fairly rapid fashion.

Administration Committee

- A. Discuss/Take Action – Resignation - Council Member Zeiders stated Council has received a resignation from Dillsburg Borough's Logan Park Authority Board Member Stacey Ryder. Council Member Zeiders moved with deep regret, to accept

Ms. Stacey Ryder's resignation effective immediately and thank her for her service.
Motion was seconded by Council Member Kelley. – Motion carried.

- B. Discuss/Take Action – Appointment to Logan Park Authority – Council Member Kelley stated because of the recent resignation of Stacey Ryder, there is an immediate vacancy on the Logan Park Authority Board. Council has reviewed the names of available persons and has selected Adrian Piechowicz of 25 Impala Drive to fill the vacant position which has a term ending date of December 31, 2010. Council Member Kelley moved to appoint Adrian Piechowicz to the vacant position on the Logan Park Authority Board to fill the remainder of the term that expires on December 31, 2010. Motion was seconded by Council Member Zeiders. – Motion carried.
- C. Discuss/Take Action – Resolution 2009-11 – Animal Control Officer and Shelter – Council Member Kelley 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 Kelley moved to adopt Resolution 2009-11 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 2010. Motion was seconded by Council Member Zeiders. – Motion carried.
- D. Discuss/Take Action - Resolution 2009-12 – Appointing West Shore Tax Bureau for 2010 - Council Member Zeiders stated each year the Borough appoints a Collection Agent for collecting the Wage and Occupation Taxes. This action is taken by Resolution. Council Member Zeiders moved to adopt Resolution 2009-12 designating the West Shore Tax Bureau as its Collection Agent, appointing an Income Tax Officer and assigning the Representative and Alternate Representative to the Board of Directors of the West Shore Tax Bureau. Motion was seconded by Council Member Kelley. – Motion carried.
Council Member Zeiders further moved to approve the 2010 West Shore Tax Bureau Budgets as approved and adopted by their Board of Directors and provided to Council prior to the meeting. The 2010 Capital Improvement Fund Budget will be \$92,000.00 and the 2010 Administrative Fund Budget will be \$1,445,288.00. Motion was seconded by Council Member Kelley. – Motion carried.
- E. Resolution 2009-3 - Recognition of Michael Whitzel – Council Member Kelley stated Michael Whitzel served the Borough of Dillsburg as a Council Member for over four

years. He served on both the Public Safety Committee and the Public Works Committee. Borough Council wishes to recognize him for his service to the Borough of Dillsburg. Council Member Kelley moved to adopt Resolution 2009-3 recognizing Michael Whitzel for his service to the Borough of Dillsburg. Motion was seconded by Council Member Zeiders. – Motion carried.

OLD BUSINESS

There was none.

NEW BUSINESS

Vice President Ryder stated he and Council Member Kelley attended the COG picnic on September 23rd at Sunset Golf Course; November 14 is the York County Boroughs Association (YCBA) banquet at the York County Expo Center which he would be attending; and on October 3rd, he presented Franklin Township with their resolution for their 200th anniversary. He indicated Dillsburg Borough was the only municipality to present them with anything. He stated the POD drill held on September 26th represented an outstanding attendance from the Borough.

ADJOURNMENT

Since there was no further business, Council Member Richardson moved to adjourn the regular meeting. Motion was seconded by Vice President Ryder. – Motion carried. The meeting was adjourned at 7:50 PM.

Respectfully Submitted,



Debbi L. Beitzel, Secretary/Treasurer

cc: Borough Council Members
Mayor Snyder
Tim Knoebel
Mark Allshouse