

**DILLSBURG BOROUGH COUNCIL MEETING
NOVEMBER 9, 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, David Baldwin, John Richardson, Matt Fawber and Kathryn Zeiders. Also present were the following: Mayor Henry Snyder, Borough Engineer Mike Begis, Solicitor Mark Allshouse, Borough Manager Karen Deibler, and Borough Secretary/Treasurer Debbi Beitzel. Council Member Hal Anderson was absent.

The following visitors were present: Tony Baker from Citizens' Hose #1, Michael Whitzel from Franklinton Fire Company, Sergeant Schreiner from the Carroll Township Police Department, Paul Reichart from the Patriot News, Mary Lou Bytof from the Dillsburg Banner, DAA Representative Brain Radcliffe, Farmers' Fair Representative Paul Tucker, YCBA and COG Representative Mark Ryder, Wilmer Price and Dillsburg Borough Residents Deb Baker, Leon Zeiders, Alyce and George Jackson.

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 called for an Executive Session to discuss real estate and legal issues and the meeting wouldn't 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

October 5, 2010 Committee Meeting – Council Member Baldwin moved to approve the Committee Meeting minutes of October 5, 2010 as presented. Motion was seconded by Council Member Zeiders. – Motion carried.

October 12, 2010 Council Meeting – Council Member Richardson moved to approve the Council Meeting minutes of October 12, 2010 as presented. Motion was seconded by Council Member Baldwin. – Motion carried.

DEPARTMENT REPORTS

Police Department Report

Sergeant Schreiner reviewed the October 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 October were 105, which was ten less than the same time period last year; for a year-to-date total of 1053, which was 79 more than the same time period last year. There were eight traffic accidents for the month of October, which was three more than the same time period last year; for a year-to-date total of 57, which was even with the same time period last year. There were 16 traffic citations for the

month of October; which was six less than the same time period last year; for a year-to date of 241, which was 138 less than the same time period last year.

Part I offenses for the month of October there were four incidents, which two were cleared by an arrest; for a year-to date total of 24 incidents and 13 cleared by arrests; with a clearance rate of 54% compared to a clearance rate of 38% in 2009.

Part II offenses for the month of October, there were seven incidents, which four were cleared by arrests; for a year-to date total of 81 incidents and 66 cleared by arrests; with a clearance rate of 81% compared to a clearance rate of 87% in 2009. The overall clearance rate is 75%.

Ambulance Service Report

There was no one present to report.

Fire Company Report

Citizens' Hose Fire Company #1 – Tony Baker provided a report for the month of October 2010 to Council and Mayor. He indicated for the month of October there were 38 runs; 11 were in Dillsburg Borough; for a year-to-date total of 75 in Dillsburg Borough and a total of 364 for all municipalities. He also presented a report with the apparatus responses, the incident types and the membership responses for October. Mr. Baker indicated there were two failed calls for the month of October.

Mr. Baker stated the renovations at the fire station are progressing very nicely.

Mr. Baker stated the MOD D classes are wrapping up with a practical on November 14th at the York County Fire School and then a written exam on November 16th. At the end of this class they will have eight additional certified firefighters.

He stated the fund drive information will be going out in the mail shortly.

He indicated the rescue truck was involved in a minor motor vehicle accident on Route 15. The damage was more cosmetic than structural. The unit is at the manufacturer getting the repairs done and having some scheduled maintenance work done to it; the rescue truck will be out of service for two weeks.

President Griffin asked how they made out at Farmers' Fair. Mr. Baker stated they were very busy and did well. He indicated they would be around the 11-12 mark, which was a little less than what he was expecting. He stated some of the stand-by crews bailed out on them and they had to handle two incidents

Franklintown Fire Company – Mike Whitzel reported they had 32 calls for the month of October; one call was in the Dillsburg Borough; for a total of 312 calls for the year.

He thanked the Council for their contribution; it was used for repairs.

He indicated the MSA air packs are in and the fire fighters are starting to train on them. They have a computerized feature on them, which will be able to track their personnel and Citizens' Hose. The cost was \$108,000.00. They have a cascade system in order to fill air cylinders up and will allow mutual aid companies to come and fill their cylinders.

Farmers' Fair

Paul Tucker indicated they had a very successful year. He stated one major improvement this year was the electrical pedestals for the vendors; this was a huge help to them. He stated they still have a challenge with the lighting and would like to try getting the string lights back up over the street.

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 October were \$48,656.05. 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 Richardson. Council Member Richardson and Fawber abstained. - Motion carried.

Planning Commission Report

The Planning Commission didn't meet in October 2010.

Dillsburg Area Authority

Brian Radcliffe reported on the October 19th meeting. He indicated DAA was reviewing the projections of the total nitrogen discharged from the plant with the interim upgrade and looking down the road when development resumes and comparing it to the anticipated change in the limits that could be mandated by EPA.

He stated the Board found it necessary to increase the sewer base rate for Central and Northern Carroll Service Districts (which includes Dillsburg Borough) by \$4.00 a quarter. This is necessary because the development is flat and not helping to support the debt service for the sewage plant. The Board is also looking at restructuring the debt in order to moderate the increases. The rate increase has nothing to do with the normal operating costs.

Council Member Zeiders asked what the increase percentage was and what the charge is presently. Mr. Radcliffe stated he didn't know what the percentage was and the charge currently is at \$28.00. Mr. Mark Ryder asked when the effective date was for the rate increase. Mr. Radcliffe indicated the first quarter of 2011.

YCBA & COG

YCBA - Mark Ryder stated on Saturday he was stepping down as president, but remaining on the executive board for 2011.

COG – Mark Ryder indicated next Monday is the last COG meeting for the year. They currently have 39 municipalities involved. They passed the budget with no increase in the dues for 2011. He stated they made \$89,000.00 in sales at the auction that took place in July; COG netted \$83,073.64, which goes into their general fund.

He indicated at their last meeting, Amy Knause, Executive Director from the Humane Society was the speaker. The Humane Society is going around to the municipalities asking for \$1.00 from each person in order to keep it running.

He stated the salt bids are in and the price had decreased with no minimum to purchase. The delivered price is \$59.70 a ton; the winner was American Salt Company.

Mr. Ryder indicated at the January meeting they will be swearing in the officers.

He stated he would be back on the Public Safety Committee, which meets prior to the regular meeting.

Solicitor's Report

Solicitor Allshouse provided Council and Mayor with a written report for work performed in October 2010 and had nothing to add.

Engineer's Report

Borough Engineer Mike Begis provided Council and Mayor with a written report for work performed in October 2010. He stated the ADA Improvements Contract work has begun and should be completed by November 18th or 19th.

Tax Collector

Cristina Speicher wasn't present but provided reports for September and October.

Borough Staff Report

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

PUBLIC COMMENT

Wilmer Price, 146 S Baltimore Street (mother's address), indicated on Saturday night of Farmers' Fair he was informed the property in front of his mother's home was public property and therefore the people had a right to stand there and block her view from the picture window on the well lighted street which she provides. He stated they provide over ½ of the frontage to the public, the other part is used for family and friends. He stated he did some research and found that it is private property with an easement for pedestrians to walk through it. The English law states they can pass and repass. He indicated he is still researching to find out if there are any exceptions for parade day. Mr. Price asked if a person has to give up their rights over their property for anyone to come in and take position. He indicated next year he will politely inform people what the law is, take their picture and then call 911 and let the police officer take care of it. Solicitor Allshouse stated trespassing requires prior notice; in writing or posted. Mr. Price stated it is posted. He stated it is a well lit area which his mother provides and will shut it down if they don't get cooperation.

Mr. Price stated the first time around his mother could purchase trash bags when she needed them. Now, she is required to purchase 13 bags every six months. This is far exceeding the requirement she has to use. He suggested rolling back the number of bags a person has to purchase. Solicitor Allshouse stated this issue has been brought up previously and the ordinance states if trash is generated from a property, a requirement to purchase bags is required. Borough Council would have to change the ordinance when the contract with Penn Waste expires. Mr. Price stated the original contract was acceptable. Council Member Baldwin stated the Borough received a two year extension at the same price. Council Member Baldwin indicated he perceives that when the current contract expires in 2012, there will no longer be a pay per bag option. The waste haulers don't want the bag program. He stated Council understands there are a lot of older residents in the Borough and Council fought for the bag program and will continue to fight for this service.

CORRESPONDENCE

There was none.

MAYOR'S REPORT

Mayor Snyder stated he attended the York County Mayors Association meeting last month in York.

PRESIDENT'S REPORT

President Griffin announced the following events: November 13 – The 2nd Annual Fall Music Concert to benefit New Hope Ministries sponsored by Christ Lutheran Church at Messiah College in the Hostetter Chapel beginning at 7:30 pm. Light refreshment will be served after the program; November 20 – NYCHAPS is sponsoring a Comedy Night Dinner with Local Comedian Sonya King. Dinner will be served at 6 PM and the show will begin at 7:30 pm. Tickets are \$20 each and are available at the Blossom Shop, The Book House, or the Maple Shade Gift Shop; December 2 - NYCHAPS' meeting is entitled "Christmas around the World". This is a family oriented puppet show, so plan on bringing the kids and grandkids; December 3 – Dillsburg's Annual Light Up Night beginning at 7:00 pm on the square. Santa will arrive around 7:30 pm and refreshments will be served at the Library following his arrival. At the same time, the Borough will be dedicating the new street lights, benches, planters and trash receptacles; December 11 - The Colonial Christmas Service at 7:30 pm at the Historic Monaghan Church sponsored by Dillsburg Revitalization and refreshments will be served following the service at the Dills Tavern.

COMITTEE REPORTS

Public Works Committee

Council Member Fawber didn't have anything to report.

Public Safety Committee

Neither Council Member Richardson nor Baldwin had anything to report.

Administration Committee

- A. Discuss/Take Action – 2011 Budget – Vice President Kelley stated the 2011 Proposed Budget was reviewed and adopted by Council at the October 12, 2010 Council Meeting and was put on public display between October 13, 2010 and today, November 9, 2010. Further review and discussion resulted in no adjustments. 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. There will be no salary increase for full-time Borough employees; however, there will be a 50 cent per hour increase for the seasonal, part-time public works position. The 2011 Budget is now ready for adoption at this time. Vice President Kelley moved to adopt the 2011 Budget for the Borough of Dillsburg as presented with projected Revenue of \$790,075.00 and projected Expenses of \$830,015.00. The 2011 Budget will be balanced through the use of carryover funds from 2009 and 2010. Motion was seconded by Council Member Zeiders. – Motion carried.

- B. Discuss/Take Action – Tax Exoneration Request - Council Member Zeiders stated the Borough has received a request for Tax Exoneration for Per Capita and Occupation Tax from Tax Exoneration Case #2010-2. The request has been reviewed by the Council, as well as by the Borough Manager and the Tax Collector who concur that the applicant has met the requirements for tax exoneration. Council Member Zeiders moved to grant the request for 2009 Per Capita and 2009 Occupation Tax Exoneration Case #2010-2 as submitted. Motion was seconded by Vice President Kelley. – Motion carried.
- C. Discuss/ Take Action – Resolution 2010-17 – Appointing West Shore Tax Bureau for 2011 – Vice President Kelley stated each year the Borough appoints a Collection Agent for collecting the Wage and Occupation Taxes. This action is taken by Resolution. Vice President Kelley moved to adopt Resolution 2010-17 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 Zeiders. – Motion carried. Vice President Kelley further moved to approve the 2011 West Shore Tax Bureau Budgets as approved and adopted by their Board of Directors and provided to Council prior to the meeting. The 2011 Capital Improvement Fund Budget will be \$167,561.00 and the 2011 Administrative Fund Budget will be \$1,521,479.00. Motion was seconded by Council Member Zeiders. Council Member Baldwin asked for the previous motion to be separated. He didn't feel Council should support the Capital Improvement Fund because \$120,000.00 is being used for the Cumberland County Ramp Up cost. Vice President Kelley and Council Member Zeiders withdrew their motions. Vice President Kelley moved to approve the 2011 West Shore Tax Bureau Budgets as approved and adopted by their Board of Directors and provided to Council prior to the meeting. The 2011 Administrative Fund Budget will be \$1,521,479.00 for which Council will support. Motion was seconded by Council Member Zeiders. – Motion carried. Council Member Baldwin moved to disapprove the 2011 Capital Improvement Fund Budget for the West Shore Tax Bureau in the amount of \$167,561.00. Motion was seconded by Council Member Richardson. – Motion carried.
- D. Discuss/Take Action - Resolution 2010-15 – 2011 Delinquent Tax Collector - Council Member Zeiders stated as Council Members are aware, each year we develop a Resolution appointing the Delinquent Tax Collector for the Borough. Resolution 2010-15 appoints J. P. Harris Associates as the Delinquent Tax Collector for the Borough of Dillsburg for the fiscal year 2011. Council Member Zeiders moved to adopt Resolution 2010-15 appointing the 2011 Delinquent Tax Collector for the Borough of Dillsburg. Motion was seconded by Vice President Kelley. – Motion carried.
- E. Discuss/Take Action - Resolution 2010-14 – Appointing Auditor – Vice President Kelley stated as Council Members are aware, the Borough appoints an Auditor each year to independently audit all Borough Accounts. Resolution 2010-14 was developed to appoint Kochenour, Earnest, Smyser and Burg of York, Pennsylvania as the Auditor for the Borough of Dillsburg for the fiscal year 2011. Vice President Kelley moved to adopt Resolution 2010-14 appointing the Auditor for the fiscal year 2011. Motion was seconded by Council Member Zeiders. – Motion carried.

- F. Discuss/Take Action - Resolution 2010-16 – 2011 Meeting Schedule - Council Member Zeiders stated as Council Members are aware, each year we develop a Meeting Schedule for the coming year and adopt the Schedule by Resolution. The Schedule of Meetings is distributed and advertised in the local newspaper. Please note that Council meetings will be held at the Dillsburg Area Authority Building, 98 W Church Street, Dillsburg. All other meetings will be held in the Dillsburg Borough Office, 151 S Baltimore Street. Council Member Zeiders moved to adopt Resolution 2010-16 setting the 2011 meeting schedule for the Borough of Dillsburg. Motion was seconded by Vice President Kelley. – Motion carried.

OLD BUSINESS

There was none.

NEW BUSINESS

Council Member Baldwin stated the Borough Manager hasn't received a pay increase in the last five years and won't in 2011, has taken on additional tasks as asked by Council and all employees have worked to maximize income and to keep expenses to a minimum. Council Member Baldwin moved that Council provide incentive payments to the employees as discussed and the amounts discussed in the Executive Session on Monday, November 1, 2010, and shown in Executive Document 10-A. Motion was seconded by Council Member Richardson. – Motion carried.

ADJOURNMENT

Since there was no further business, Council Member Richardson moved to adjourn the regular meeting. Motion was seconded by Council Member Zeiders. – 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