

DILLSBURG BOROUGH COUNCIL MEETING

June 11, 2019 – 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 Holly Kelley, Vice President Matt Fawber, Mike Gaffney, Jeff Griffin and Mark Ryder. Also present were Mayor John Richardson, Borough Manager Karen Deibler and Borough Secretary Debbi Beitzel. Council Members Dave Baldwin and Isaac Tucker, Borough Engineer Tim Knoebel and Solicitor Mark Allshouse weren't present.

The following visitors were present: Chief Wargo from the Carroll Township Police Department, Carla Snyder and Lieutenant Dye from NYCFR, Doug Riley from NYCHAPS, Mary Lou Bytof from the Dillsburg Banner and Dillsburg Borough Residents Chris Delvecchio, Benjamin Confair, Renee King-Cunningham and Bruce Juergens.

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

APPROVAL of the AGENDA

Vice President Fawber called for an executive session after the regular meeting to discuss contracts; with no need to come back into regular session. Council Member Ryder moved to approve the agenda as amended. Motion was seconded by Council Member Gaffney. – Motion carried.

APPROVAL of the MINUTES

May 7, 2019 Committee Meeting – Vice President Fawber moved to approve the Committee Meeting minutes of May 7, 2019 as presented. Motion was seconded by Council Member Griffin. – Motion carried.

May 14, 2019 Council Meeting – Council Member Griffin moved to approve the Council Meeting minutes of May 14, 2019 as presented. Motion was seconded by Council Member Ryder. – Motion carried.

DEPARTMENT REPORTS

Police Department Report

Chief Wargo reviewed the May 2019 Dillsburg Borough Police Report with Council and Mayor. The report listed the numbers and types of offenses and traffic incidents and a breakdown of hours worked. He indicated for the month of May 2019, there were 129 calls for service, for a year-to-date total of 601. There were four traffic accidents in May 2019, for a year-to-date total of 35 and the officers issued a total of 22 traffic citations in May 2019, for a year-to-date total of 139.

Chief Wargo also provided to Council and Mayor an overtime report from the time period of January 1, 2019 through May 19, 2019.

Vice President Fawner asked how the officer was that was injured. Chief Wargo indicated they actually have three officers out at the present time. He stated one officer is still out with a hip injury, he fell in the Township in January and hurt his hip; Officer Laura Solomon was involved in an incident in the Borough and ended up breaking her tailbone and Officer Justin Rogerson hit a deer while on his motorcycle driving to work and has multiple broken bones, collapse lung, other injuries, and his brain has suffered concussions, but doing OK. Chief Wargo stated they have hired three part-time officers.

Ambulance Service Report

No one was present but a report was provided for the months of April & May 2019 to the Council and Mayor.

Fire Company Report

Carla Snyder introduced one of the Junior Officers, Lieutenant Dye. She reviewed the May 2019 report with Council and Mayor. She indicated for the month of May 2019, there were 43 calls for a year-to-date total of 223. For the month of May there were ten calls in the Borough, for a year-to-date total of 46.

She indicated in May, they participated in the South Mountain May Fair, they did the mock DUI drill at the high school and participated in the Memorial Day Parade. She mentioned those that were on the fire prevention committee, recertified some of the local day cares; they trained the teachers on the fire extinguishers and updated them on some safety issues.

Ms. Snyder indicated some of the upcoming activities for the month of June include: Some of them will be involved with the CERT training classes for the new trainees, they been invited to participate in the Party In The Park, National Night Out and PA Weekend, which is when they go to the National Fire Academy and take classes. She stated they will be starting their Farmers' Fair preparations next month.

President Kelley asked if the smoke house still exists. Ms. Snyder stated no, it had rotted. They are hoping to get another one through grant money. They do have the "Little Squirt".

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 May 2019 were \$61,124.24. The Profit & Loss Budget vs. Actual Detail Report and a Cash Flow Report were also given to each Council Member and Mayor. Vice President Fawber moved to approve the payment of all bills as presented in the amount of \$61,124.24 pending audit. Motion was seconded by Council Member Ryder. - Motion carried.

Planning Commission Report

There was no representative present.

Dillsburg Area Authority

There was no representative present.

Community Groups

There were none.

Solicitor's Report

Solicitor Allshouse wasn't present but did provide the Council and Mayor with an invoice for services provided in May 2019.

Engineer's Report

Engineer Knoebel wasn't present but did provide the Council and Mayor with an invoice for services provided in May 2019

Tax Collector Report

Debbi Beitzel provided the Council and Mayor with a written report for taxes paid and sent out along with a listing of revisions for May 2019.

Borough Staff Report

Manager Deibler provided the Council and Mayor with a written report for May 2019.

PUBLIC COMMENT

Ben Confair, 12 Belair Dr, stated he was concerned with the development of the two properties behind his house. He indicated he has been in contact with the Borough over the last month and also met with Tim Knoebel on Sunday at the site. Mr. Confair indicated to his acknowledge there isn't a land development plan in place. He heard there was a subdivision plan done 5-10 years ago, which he has not seen. It does meet the minimal lot requirements, but the Borough's ordinance also has a maximum lot density and it says something about three single family units per acre or eight multi-family units per acre. The two properties were divided from the unit on the corner which already has six units (actually only five), without a land development plan, he didn't know how it was divided but it appears the house behind it was also part of the initial parcel, which might have been done long before these two were divided. He indicated according to the Borough's ordinance a land development plan is required; it clearly says any subdivision of the land not to mention two or more properties, which there are, subdivided by the same person. It was subsequently sold but is now being developed by the same person and submitted under the same stormwater management plan. It's a single developer developing two lots, which constitutes a land development plan. He stated he was told that there were no variances given for this development, which would be required for the minimum lot densities. There are a number of stormwater management issues, but he did meet with Tim Knoebel and he is going to be working with the design engineer to address them, including the fact that they went outside of their limited disturbance and cut down trees, which they weren't supposed too. They over compacted earth which should have had minimum disturbance. Mr. Confair continued to state that these are minimized lots and the requirement is 10,000 square feet and it's exactly 10,000 square feet and these houses are being shown right on the setback lines. He indicated to his knowledge he hasn't seen any surveying done since the properties have been divided, not to mention it shows patios in the setback lines. He indicated he has been made ensured the patios aren't going to be built, but there are still patio doors, so he assumes they are still planning on building them. He indicated there are no E&S plans when it's required, not to mention with the stormwater, if this was treated as a single land development, it would have been considered increasing pervious surface greater than 5,000 square feet, which would have triggered higher standards according to the Borough ordinances, but they were allowed to do this separately, so they

could apply the minimum standards. The infiltration rates were never verified, they were taken from a standard range given for the broader area of Dillsburg and infiltration rates can change within a hundred feet. They took the average of that range, which when he has seen this done without investigation, typically, they take the bottom end of that range and then divide it by a factor of 3, so they have unverified infiltration rates, chambers that seem undersized, the stormwater management plan is not being followed, the E&S plan isn't being followed. When he first encountered the contractor on site, he had no permits, no plans, and as far as he was concerned, he was going to clear everything out from lot line to lot line. He stated again, he had been in contact with the Borough for a month now and when he first complained about the issue, he finally got to meet with Tim Koebel this past weekend. He feels the permits for the buildings should be suspended until this matter is looked into and resolved because they are currently building in violation of the Borough ordinances with no variance. He indicated that was why he was there to have Council suspend their permits until the issues are looked into seriously. He indicated what he heard from Tim Knoebel yesterday was this is a comment Council gets all the time, "what do you expect them to do now, tear it down, stop building"? He stated that when he started complaining about this a month ago, there were no buildings and now there are two of them, where it's questionable if there should even be one. He indicated he didn't know what the process was and if that could be done tonight. He requested that someone make the motion to suspend the permits tonight or at least ASAP because clearly, they are in violation and the permits need to be suspended until there is an evaluation. President Kelley stated she appreciated his feedback and would take all the information back and discuss with the solicitor and engineer and will provide feedback.

Renee King, 111 Gettysburg Street, thanked Council for the speed bumps. She has lived in the home for 16 years and has been concerned for her children even playing on the sidewalks. There was an incident several years ago where a car was flying down the street and hit some parked cars and pushed one of the parked cars up on the sidewalk. She stated she has been hollering like an old lady to slow down, but they don't. She thanked Council again and stated she really appreciates it. She indicated they have a special needs child in their home and has communicated this with the police department several years ago and they have been phenomenal in handling of their daughter.

Bruce Juergens, 113 Gettysburg St, also thanked Council for placing the speed humps and stated it has made a big difference and people are becoming aware of them.

CORRESPONDENCE

There was none.

MAYOR'S REPORT

Mayor Richardson has nothing to report.

PRESIDENT'S REPORT

President Kelley thanked the VFW and the participants for a good Memorial Day parade. She stated she would like to see the parade get a little bigger but does appreciate the community coming to honor those who died at the remembrance ceremony at the cemetery.

COMMITTEE REPORTS

Public Works Committee

Council Member Ryder had nothing to report.

Public Safety Committee

Vice President Fawber had nothing to report.

Administration Committee

Council Members Griffin and Gaffney had nothing to report.

OLD BUSINESS

There was none.

NEW BUSINESS

There was none.

ADJOURNMENT

Since there was no further business, Council Member Gaffney moved to adjourn the regular meeting. Motion was seconded by Council Member Ryder. – Motion carried. The regular meeting was adjourned at 7:19 pm to go into executive session.

Respectfully Submitted,

Debbi L. Beitzel

Debbi Beitzel
Borough Secretary

cc: Borough Council Members
Mayor Richardson
Tim Knoebel
Mark Allshouse