

DILLSBURG BOROUGH COUNCIL MEETING
September 11, 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, Kathryn Zeiders, Michael Whitzel and John Richardson. Also present were the following: Mayor Henry Snyder, Borough Solicitor Mark Allshouse, Borough Engineer Tim Knoebel, and Borough Secretary/Treasurer Debbi Beitzel.

Borough Manager Deibler was not present.

The following visitors were present: Ed McCoy from Citizens' Hose Fire Company #1, Robert McDermitt from Franklinton Fire Company, Traci Cook and Keith Heckert 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 Representatives Allen Reeves and Leon Zeiders, Steve Quigley of H. Edward Black & Associates, Matt Hearn of Akens Engineering Associates, Inc., Todd Lyons representing the Hayes Subdivision and Brad Sealover representing CCSG and Dillsburg Borough Residents Stacey Ryder, Tony Baker, Jeff Beitzel, Alyce Jackson, Carla Ice, Jim Byers, Larry and Joanne Klase.

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 Council Member Richardson. – Motion Carried.

APPROVAL of the MINUTES

August 14, 2007 Council Meeting – Vice President Griffin moved to approve the Council Meeting minutes of August 14, 2007 as presented. Seconded by Council Member Zeiders. – Motion Carried.

September 4, 2007 Committee Meeting – Council Member Richardson moved to approve the Committee Meeting minutes of September 4, 2007 as presented. Seconded by Vice President Griffin. – Motion Carried.

DEPARTMENT REPORTS

Police Department Report

Chief Francis reviewed the August 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 August were 85, year-to-date total 821, which was 44 more than the same time period last year. There were four traffic accidents for the month of August, year-to-date 36, which was nine less than the same time period last year. There were 13 traffic citations for the month of August, year-to-date 173, which were 73 less than the same time period last year.

Part I offenses for the month of August, there were a total of four, which included one robbery and three larceny thefts, for a year-to-date total of 37, with a clearance rate of 8%. Part II offenses for the month of August, there were six incidents, which included four criminal mischief/vandalisms, one drug offense, and one harassment complaint, year-to-date 51 of which 29 were cleared, with a clearance rate of 56%. The overall clearance rate is 36%.

He indicated at the request of the Council, they were asked to put together some traffic enforcement details. He stated the department would be conducting speed checks on September 14th on Harrisburg Street, Baltimore Street near the pedestrian crossings, Second Street near Gettysburg Street and in Pheasant Ridge. He also stated on October 12th, they will be focusing on the pedestrian issues that have been raised at the intersections and crosswalks at North Baltimore and Church Street by the post office, Baltimore and Hanover Streets by the hardware store and Baltimore Street and Welty Avenue by Dr. Klein's office. The violators will be cited.

He indicated the second issue deals with animal control. He indicated the animal control officer; John Zimmerman has submitted his resignation to Carroll Township, which will affect the Borough. He indicated he went searching for someone to cover for Carroll Township and for the Borough. With the closing of the West Shore Animal Shelter and the closest one being in York, the proposal given to Carroll Township by the SPCA was \$915.00 retainer; which is for just accepting the dogs and taking care of them, not to come out and catch them, however it does provide some emergency care for injured animals. He indicated there is an animal control company called Kohler Animal Control Services that has prepared a proposed contract for Carroll Township and had proposed a contract for the Dillsburg Borough. Chief Francis indicated he sat and met with Mr. Tim Kohler and he seems to be well experienced and has his act together. The terms of his contract includes a fee of \$400.00 for retention services and mileage. The terms and conditions of the contract can be found in the proposed contract. Chief Francis stated he had no interest in the service, but a service needs to be in place in the event of an animal situation. He indicated Mr. Kohler has offered to handle calls for us, until such time a contract could be put in place for 2008. Council Member Zeiders asked when Mr. Zimmerman would be retiring. Chief Francis indicated he already has, but he's not retiring, just retiring from dog catching. Council Member Kelley asked if the services are focused on dogs and what about other animals. Chief Francis indicated Mr. Kohler does all types of animals, but the primary focus is on dogs or injured animals. Mr. Kohler has a licensed kennel by the state, license to carry a firearm and licensed as a state dog law officer. He indicated Mr. Kohler wants to shy away from feral cats because it's time intensive and involves trapping and could cause problems with dogs and other animals getting into the trap. Vice President Griffin asked how long it would take for Mr. Kohler to get to Dillsburg from Manchester and what would we do with the animals until he get here. Chief Francis indicated the timing would depend on where he would be at the time of the call and the department has no facility to store the animals.

Mayor Hank Snyder asked for direction regarding the snow plowing and indicated the public works personnel received verbal abuse, harassed and even threaten last year. Chief Francis indicated unfortunately the weather tests us all and these types of problems are not infrequent. The way the department deals with them could vary; an extreme case would be to respond and make an arrest, disorderly conduct citation, or obstruction of a public passage citation. The concern would be when the officer could arrive to the scene. Mayor Snyder asked if he would get a call from one of the drivers and then call the police and it's an hour before an officer could respond, would the delay change anything. Chief Francis indicated no, there is a technique for issuing citations on summary offenses,

where the police could issue citations on information received. This would require the person making the call to testify with the same facts that were reported to the officer.

Ambulance Service Report

Traci Cook provided a report for the month of August to Council and Mayor. There were a total of 87 calls in the month of August and 16 of them were in Dillsburg Borough, which included 12 medical emergencies, one fire call, two motor vehicle accidents and one miss call. For year-to-date there were a total of 154 calls in the Borough of Dillsburg and a total of 868 for all municipalities.

Fire Company Report

Deputy Chief Ed McCoy presented a report for the month of August to Council and Mayor. Mr. McCoy indicated for the month of August there were 30 runs, for a year-to-date total of 262; nine were in Dillsburg Borough, for a year-to-date of 58, of which five were medical assists, two motor vehicle accidents, one automatic fire alarm and one transformer. He also presented a report with the membership responses, ranking for August and year-to-date totals.

He indicated they had a breakfast with the NYCSF and had 116 paying adults and 50 children with donations and profited \$505.00 to split between Citizens' Hose and NYCSF.

He also indicated the Fund Drive letter should be in the residents' mailboxes.

Council Member Whitzel asked how much money is being requested from Carroll Township. Mr. McCoy answered they are requested \$39,000.00. Council Member Whitzel asked how the figure is based. Mr. McCoy answered it is based on a percentage call base. Council Member Whitzel asked in years past how much money is received from them. Mr. McCoy answered approximately 15% of the total amount request.

Council Member Whitzel asked what the width of the ladder truck is. Mr. McCoy answered the wing spread is 19'6". Council Member Whitzel asked with a 30' cart way, is that adequate space to work safely. Mr. McCoy answered yes.

Franklintown Fire Company President Robert McDermitt thanked the Council for their donation last year.

He indicated some things have been going on at the fire house and could provide Council and Mayor with a written report. He indicated their doors were shut by the state for one day. He indicated the reason was because they used a non-profit mailing solicitor to do the truck funds and in order to do that you have to belong to the Commonwealth of Pennsylvania Charitable Organization and Franklintown Fire Company doesn't belong and are back being open.

He stated the American Legion didn't donate \$10,000.00 to Franklintown Fire Company as stated in the Dillsburg Banner a couple of weeks ago.

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 August would be \$40,286.06. The Profit & Loss Budget vs. Actual Detail Report and a Cash Flow Report were also given to each Council Member and Mayor. Borough Secretary/Treasurer indicated the expenditures amount would increase by \$2,790.00 due to the State Workers' Insurance Fund invoice being more than estimated on the bill list. Council Member Zeiders moved to approve the payment of all Unpaid Bills as corrected. Seconded by Council Member Whitzel. Council Member Richardson abstained because of an insurance payment that needed approved. – Motion Carried.

Planning Commission Report

Allen Reeves reported on the August 22, 2007 meeting. He indicated the committee had reviewed the changes that are being made to the Regional Comprehensive Plan due to the zoning changes in Franklin and Carroll Townships.

Mr. Reeves indicated the big effort was still with Winfield. He stated there are two plans up for review at the next planning meeting being held on Wednesday, September 26th; one is the Preliminary Development Plans for the entire site and the other one is the Phase 1 Final Land Development Plan.

Logan Park Authority

Vice President Griffin reported on Logan Park's monthly meeting held on August 15, 2007.

He indicated the locks on the electrical box and water spigot had to be changed and the combinations would be kept the same.

He indicated LPA submitted bids to construct the barn and all the bids came in extremely high and are re-seeking new bids.

Vice President Griffin stated LPA met on August 22nd to mark the spots where they wanted the trees planted.

He also indicated two members went to Haar's drive-in to inspect the playground equipment that they would like to donate to the park to see if it was appropriate for the park.

He indicated the meeting would be Wednesday, September 19th beginning at 6:30 PM at the Dill's Tavern followed by a social hour beginning at 7 PM.

Dillsburg Area Authority

Mr. Mervin Ice indicated he was reporting on the August 20th meeting.

He indicated a month ago they received notice there was a drought emergency and voluntarily cut back 5% and not sure where its stands as of now.

He indicated there were 10 storz fittings for fire hydrants purchased and were installed near the fire company. He also indicated the fire company received three spanner wrenches to be able to operate the new fittings.

He indicated the newest water well #7, which is located in Carroll Township. More discussion.

Mr. Ice indicated the connection reports are on track the same as last year and last year was double than it was the previously years. Last year there were 123 water connections and 195 sewer connections and indicated this year would be about the same.

He indicated someone reported a problem with a sewer pipe at Coover Park creek and was investigated and found it was an old abandon line and would be looking into the matter further.

Council Member Whitzel asked if DAA had considered giving the other fire companies that give mutual aid to the Borough spanner wrenches. Mr. Ice indicated it has never been addressed but would bring it up to the board.

President Ryder indicated last week he was paged by the fire department with a sewer back up on Baltimore Street. The 24-hour emergency cell phone was called and it no longer works. President Ryder asked who gets called when there is an emergency. Mr. Ice indicated it was his understanding if the number is called and no one answers, it would go to 911. President Ryder indicated an on-call list was needed by the Borough.

Engineer's Report

Borough Engineer Tom Knoebel provided Council and Mayor with a written report for August 2007 work performed; predominantly with the subdivision and land development plans that were proposed.

Solicitor's Report

Solicitor Allshouse provided Council and Mayor with a written report for August 2007 work performed.

He also stated last month the Borough had four district justice matters and are now down to one and half and should be resolved in the next thirty days.

Tax Collector

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

Borough Staff Report

Borough Manager Deibler wasn't present and no report was provided.

PUBLIC COMMENT

There was none.

CORRESPONDENCE

There was none.

MAYOR'S REPORT

Mayor Snyder indicated he and Dale attended a decorative sidewalk demonstration in Lemoyne on September 6th. He stated his opinion was it was too expensive. He stated he asked the engineers that were present how long it would last and they indicated about 6-7 years. Council Member Richardson asked what the cost was. Mayor Snyder indicated approximately \$3,000.00 just for the product, didn't include the installation or the torches needed. He also stated the snow plows could push it up.

Mayor Snyder indicated he performed his tenth wedding ceremony on August 31, 2007 at the Carlisle Army War College.

PRESIDENT'S REPORT

President Ryder indicated he and Council Member Richardson attended the picnic for COG two weeks ago and would be getting back to the regular meeting schedule.

President Ryder stated the York County Borough Association (YCBA) third quarter dinner meeting is in Wrightsville on September 27th at the Wrightsville United Methodist Church at 6:30 PM.

He reminded everyone that the Dillsburg Borough trash night is Tuesday for Wednesday pick-up.

President Ryder indicated everyone is gearing up for Farmer's Fair to be held next month.

COMITTEE REPORTS

Public Works Committee

- A. Discuss/Take Action – Windy Heights, LLC – Bond Release - Council Member Zeiders stated Windy Heights, LLC provided the Borough with Performance

Bond in the amount of \$6,400.00 on February 16, 2007 as financial security to guarantee completion of paving and curb work on the portion of Grouse Road located in the Borough. As indicated on the report dated, September 6, 2007, Borough Engineers, KPI, conducted an inspection of these improvements. Based on that inspection and inspections made during construction, they recommend that the Borough release the performance bond. Engineers further recommend that the maintenance bond of \$13, 500.00 and remaining escrow be retained. Council Member Zeiders moved to grant authorization to discontinue the performance bond for the completion of paving and curb work on the portion of Grouse Road located in the Borough to Windy Heights, LLC. Seconded by Council Member Whitzel. – Motion Carried.

- B. Discuss/Take Action – Winfield Revised Final Sub-Division Plan – Council Member Zeiders stated the Revised Final Sub-Division Plan for Winfield was submitted to the Borough of Dillsburg. The Borough Planning Commission reviewed the Plan on July 25, 2007 at the regularly scheduled Planning Commission meeting and recommended approval, with the conditions as outlined in the memorandum from Borough Engineer Timothy R. Knoebel, P.E. of KPI Technology dated July 20, 2007. Council Member Zeiders moved to approve the Revised Final Sub-Division Plan for Winfield subject to the conditions as outlined in the memorandum from Borough Engineer Timothy R. Knoebel, P.E. of KPI Technology dated July 20, 2007. Dillsburg Borough Council would sign the plan after all conditions have been met. Seconded by Council Member Whitzel. – Motion Carried.
- C. Discuss/Take Action – Chestnut Hollow Phase 2 Sewage Exemption Request - Council Member Zeiders stated Chestnut Hollow Phase 2 has contacted the Borough and requested that Dillsburg Borough Council approve and sign a Sewage Planning Exemption for the Chestnut Hollow Phase 2 for submission to DEP upon receipt of a letter of adequate capacity from the Dillsburg Area Authority. Council Member Zeiders moved that Council approve & sign the Sewage Planning Exemption for submission to DEP upon receipt of a letter of adequate capacity from the Dillsburg Area Authority. Seconded by Council Member Whitzel. – Motion Carried.
- D. Discuss/Take Action – 33/35 W Hanover Street Waiver Requests – Council Member Whitzel stated the Planning Commission moved that Mr. & Mrs. Hayes must request the Borough Council to waive the requirement that a Preliminary Sub-Division Plan be submitted and approved before consideration of a Final Plan. Mr. & Mrs. Hayes have contacted the Borough and requested that a waiver to Section 22-403 of the Borough’s Subdivision and Land Development Ordinance Code be granted. They have also requested that Dillsburg Borough Council approve a Non-Building waiver for the property located at 33/35 Hanover Street. Council Member Whitzel moved to approve Mr. & Mrs. Hayes’ request to waive the requirement, per Section 22-403 of the Borough’s Subdivision and Land Development Ordinance Code, that a Preliminary Plan be submitted and approved before consideration of a Final Plan. Seconded by Council Member Zeiders. – Motion Carried. Council Member Whitzel also moved that Council approve the Non-Building waiver for the property and sign the necessary DEP Non-Building Declaration Form. Seconded by Council Member Zeiders. – Motion Carried. Council Member Baldwin asked what happens if there is only one lateral going in and should it be split. Todd Lyons the surveyor of the property indicated there are two laterals and two water services.

- E. Discuss/Take Action – Subdivision Request for 33/35 West Hanover Street Property – Council Member Whitzel indicated the Preliminary/Final Plan for Subdivision Request for 33/35 West Hanover Street Property was submitted to the Borough of Dillsburg. The Borough Planning Commission reviewed the Plan on August 22, 2007 at the regularly scheduled Planning Commission meeting and recommended approval, with the conditions as outlined in the memorandum from Borough Engineer Timothy R. Knoebel, P.E. of KPI Technology dated August 16, 2007. All conditions have been met. Council Member Whitzel moved to approve and sign the Preliminary/Final Plan for Subdivision Request for 33/35 West Hanover Street Property. Seconded by Council Member Zeiders. – Motion Carried.

Public Safety Committee

- A. Discuss/Take Action – Set Date for Trick-or-Treat Night in the Borough – Council Member Baldwin stated each year the Borough designates the official date of the Trick-or-Treat festivities within the Borough. In consideration of the customary date and in conjunction with surrounding municipalities, the Borough desires to set a specific date and time for the occasion. Council Member Baldwin moved to set the official 2007 date and time of Trick-or-Treat in the Borough of Dillsburg for Wednesday, October 31, 2007, from 6:00 PM until 8:00 PM. Seconded by Council Member Richardson. – Motion Carried.
- B. Discuss/Take Action – Resolution 2007-10 – Adopting the York County Hazard Mitigation Plan - Council Member Richardson stated the Borough of Dillsburg recognizes the threat that natural hazards pose to people and property within our community and that undertaking hazard mitigation actions will reduce the potential for harm to people and property from future hazard occurrences. Dillsburg Borough is also aware that an adopted Hazard Mitigation Plan is required as a condition of future funding for mitigation projects under multiple Federal Emergency Management Agency (FEMA) pre- and post-disaster mitigation grant programs. Therefore, the Borough of Dillsburg participated in the FEMA-prescribed York County Multi-Municipal mitigation planning process to prepare a Hazard Mitigation Plan. After reviewing this plan, Dillsburg Borough Council and Dillsburg Emergency Management Association find that it meets all federal requirements and should be used as an official planning instrument in throughout the Borough. Council Member Richardson moved to adopt Resolution 2007-10, adopting the York County Hazard Mitigation Plan for use in the Borough of Dillsburg. Seconded by Council Member Baldwin. – Motion Carried.

Administration Committee

- A. Discuss/Take Action – Approval of Municipal Pension Funding - Vice President Griffin stated each year the Borough determines the specific funding necessary to meet its financial obligation for funding of the Non-Uniform Employees Pension Fund. The Borough Manager, along with the Actuary, has determined that the Minimum Municipal Obligation (MMO) for 2008 should be \$5,576.10. This funding obligation will be met through a combination of State and Borough funds. The obligation will become part of the Pension Plan calculations for 2008 and will also be considered as a General Fund expense for the Borough Budget. Vice President Griffin moved to approve the specific funding for the 2008 MMO for

the Borough Non-Uniform Employees Pension Fund in the amount of \$ 5,576.10. Seconded by Council Member Kelley. – Motion Carried.

- B. Discuss/Take Action – Resolution 2007-11 - Appointing new CERT Members – Council Member Kelley stated the Dillsburg Borough Council recognizes the need for a Community Emergency Response Team (CERT) in the event of a disaster. Council understands that members of this team are required to complete specific training courses and must continue to stay current with any future training necessary. Two (2) dedicated Dillsburg Borough (or area) residents recently completed the required training held by the Dillsburg Emergency Management Agency. Council would like to thank these two dedicated individuals and officially appoint them to the Dillsburg Community Emergency Response Team. Council Member Kelley moved to adopt Resolution 2007-11 appointing Gary Reneker & Kathy Reneker to the Dillsburg Community Emergency Response Team. Seconded by Vice President Griffin. – Motion Carried.

OLD BUSINESS

Council Member Baldwin indicated he would like to set up a meeting with the Borough Solicitor, Borough Engineer, Borough Manager, Mr. Quigley and up to three council members before the next committee meeting to discuss the Winfield project. Council Member Whitzel asked if the meeting would be during day hours or evening hours. Council Member Baldwin indicated probably a daylight meeting because of the solicitor and engineer's availability.

Council Member Whitzel indicated he would like to have public comment session regarding the fire tax ½ hour before a workshop session or at the beginning of a workshop session.

NEW BUSINESS

There was no new business to discuss.

ADJOURNMENT

Since there was no further business, Council Member Richardson moved to adjourn the meeting. Seconded by Council Member Kelley. – Motion Carried. The meeting was adjourned at 7:58 PM.

Respectfully Submitted,

Debbi L. Beitzel, Secretary/Treasurer

cc: Borough Council Members
Mayor Snyder
Tim Knoebel
Mark Allshouse